

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

HUSSEIN NAJI, as Personal Representative
of the Estate of ALI NAJI,

Plaintiff,

v.

Case No. 23-10521

Hon. F. Kay Behm

Magistrate Jonathan J.C. Grey

CPL. TIMOTHY CLIVE, and CITY OF
DEARBORN

Defendants.

_____ /

**FACT APPENDIX IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT AND/OR FOR JUDGMENT ON THE PLEADINGS**

**FACT APPENDIX IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT AND/OR FOR JUDGMENT ON THE PLEADINGS**

I. Relevant Exhibits

Exhibit A: Deposition Testimony of Corporal Timothy Clive
Exhibit B1: Lobby Desk footage (filed via media upload)
Exhibit B2: Lobby Doors footage (filed via media upload)
Exhibit B3: Lobby Elevator footage (filed via media upload)
Exhibit B4: Lobby Waiting Footage (filed via media upload)
Exhibit B5: Front Circle (filed via media upload though not
referenced herein)

II. Statement of Material Facts

¶1 – Exhibit A, page 18, line 23 – page 19, line 2

¶4 – Exhibit A, page 73, line 15 – page 73, line 25; Exhibit A, page
92, line 8 – page 92, line 15.

¶5 – Exhibit A, page 89, line 23 – page 92, line 3

¶6 – Exhibit B3, Lobby Elevator, 3:32:38

¶7 – Exhibit A, page 73, line 15 – page 73, line 25; Exhibit A, page
74, line 22 – page 75, line 10; Exhibit A, page 93, line 18 – page 94,
line 5; Exhibit B1, Lobby Desk, 3:32:38

¶8 – Exhibit A, page 93, line 18 – page 94, line 11; Exhibit B3,
Lobby Elevator, 3:32:48-3:32:50

¶9 – Exhibit A, page 94, line 12 – page 94, line 24; Exhibit B, Lobby
Elevator, 3:32:51-3:32: 55

¶10 – Exhibit A, page 82, line 1 – page 82, line 15; Exhibit A, page
94, line 6 – page 94, line 24; Exhibit A, page 95, line 3 – page 95,
line 9; Exhibit B2, Lobby Doors, 3:32:51-3:32:55

¶11 – Exhibit A, page 69, line 11 – page 69, line 16; Exhibit A, page 81, line 9 – page 81, line 19; Exhibit A – page 85, line 24 – page 86, line 1; Exhibit B3; Lobby Elevator, 3:32:56-3:33:01; Exhibit B2; Lobby Doors, 3:32:57

¶12 – Exhibit A, page 95, line 25 – page 96, line 21; Exhibit B3, Lobby Elevator, 3:32:56-3:33:00

¶13 – Exhibit B4, Lobby Waiting, 3:32:57; Exhibit B2, Lobby Doors, 3:32: 57

¶14 – Exhibit B3, Lobby Elevator, 3:32:38-3:32:56

¶15 – Exhibit A, page 92, line 15 – page 93, line 5

III. Discrete Facts Alluded to in Argument Section

Brief, page 14 – Clive did not know who Naji was – Exhibit A, page 95, line 18 – page 95, line 24

Brief, page 15 – Clive had no time to de-escalate – Exhibit A, page 95, line 3 – page 95, line 16

Brief, page 15 – Clive was concerned about other people coming into the lobby – Exhibit A, page 92, line 15 – page 93, line 5; Exhibit A, page 95, line 10 - page 95, line 17

Brief, page 15 – sliding open the glass – Exhibit A, page 67, line 22 – page 68, line 7; Exhibit B1, Lobby Desk, 3:32:56

Brief, page 16 – 2015 “foot chase” – Exhibit A, page 28, line 13 – page 29, line 16; Exhibit A, page 31, line 3 – page 33, line 17; Exhibit A, page 62, line 7 – page 62, line 21; Exhibit A, page 93, line 6 – page 93, line 13

Brief, page 16 – 2017 “open carry” incident – Exhibit A, page 36, line 8 – page 45, line 15; Exhibit A, page 46, line 15 – page 46, line 25; Exhibit A, page 49, line 8 – page 55, line 25; Exhibit A, page 93, line 14 – page 93, line 17

Brief, page 16 – footnote #2 – Exhibit A, page 76, line 14 – page 77, line 4; Exhibit A, page 89, line 11 – page 89, line 17

Brief, page 17 – Clive never saw Naji drop the gun – Exhibit A, page 95, line 25 – page 96, line 21

Brief, page 17 – Naji's body blocked view of the gun – Exhibit B3, Lobby Elevator, 3:32:57-3:33:00

Brief, page 17 – the location of Naji's gun at rest – Exhibit B2, Lobby Doors, 3:32:57; Exhibit B4, Lobby Waiting, 3:32:57

Brief, page 17 – Naji was still a threat – Exhibit A, page 95, line 25 – page 96, line 21.

Respectfully submitted,

AUGUST LAW, PLLC

By: /s/ Gary K. August
Gary K. August (P48730)
Michael C. Lewis (P59139)
Attorneys for Defendants
29201 Telegraph Road, Suite 510
Southfield, MI 48034
(248) 833-6225
gaugust@august-law.com
mlewis@august-law.com

Dated: June 26, 2023

CERTIFICATE OF SERVICE

I hereby certify that on June 26, 2023, I filed the foregoing document with the Clerk of the Court by way of the ECF electronic filing system which will send notification of such filing to counsel for Plaintiff in this matter.

/s/ Robin Paye

EXHIBIT A

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHEASTERN DIVISION

HUSSEIN NAJI, as Personal Representative
Of the Estate of ALINAJI,

Plaintiff,

vs.

Case No.: 23-10521

Hon. F. Kay Beham

Magistrate Jonathan J.C. Grey

CITY OF DEARBORN, and

JOHN DOE OFFICER,

Defendants.

_____/

DEPOSITION OF CORPORAL TIMOTHY CLIVE,

Taken by the Plaintiff at the City of Dearborn Law
Department located at 16901 Michigan Ave., Suite 14,
Dearborn, Michigan on Wednesday, May 31, 2023 @ 1:00 p.m.

APPEARANCES:

For the Plaintiff:

CYRIL C. HALL (P29121)

HUSSEIN S. BAZZI (P85891)

23950 Princeton St.

Dearborn, MI 48124

(313) 788-8888

<p style="text-align: right;">2</p> <p>For the Witness: MICHAEL C. LEWIS (P59139) 29201 Telegraph Rd., #510 Southfield, MI 48034 (248) 833-6225</p> <p>RECORDED BY:</p> <p style="text-align: right;">PHOENIX COURT REPORTING P.O. BOX 214552 AUBURN HILLS, MI 48321 (248) 342-7229</p>	<p style="text-align: right;">4</p> <p>1 Wednesday, May 31, 2023 – 1:03 p.m. 2 Via Zoom 3 – – – 4 PROCEEDINGS 5 – – – 6 THE COURT REPORTER: Could I have 7 the witness raise your right hand for me, please? Do 8 you solemnly swear or affirm that the testimony you 9 are about to give in this matter will be the truth? 10 THE WITNESS: Yes, Ma'am. 11 THE COURT REPORTER: Thank you. 12 TIMOTHY CLIVE, 13 WAS DULY SWORN BY THE COURT REPORTER, TESTIFIED UNDER 14 OATH AS FOLLOWS: 15 DIRECT EXAMINATION 16 BY MR. HALL: 17 Q Witness, please state your name for the record. 18 A Police Station name? 19 Q I'm sorry, please state your name. 20 A Oh, Timothy Clive. 21 Q Okay. Mr. Clive, so today is scheduled for a 22 Deposition. Have you ever had your Deposition taken 23 before? 24 A I don't believe so. No, I haven't. 25 Q But I know you've testified multiple times in Court;</p>
<p style="text-align: right;">3</p> <p>1 TABLE OF CONTENTS 2 3 WITNESS: PAGE 4 5 TIMOTHY CLIVE 6 7 Direct Examination by Mr. Hall 4 8 Cross-Examination by Mr. Lewis 89 9 Redirect Examination by Mr. Hall 96 10 11 12 13 14 15 16 17 EXHIBITS: IDENTIFIED 18 19 Exhibit Number One 42 20 Exhibit Number Two 51 21 Exhibit Number Three 57 22 Exhibit Number Four 63 23 24 25</p>	<p style="text-align: right;">5</p> <p>1 is that correct? 2 A Yes, traffic. 3 Q Yes. Well, the only reason I mention that, because a 4 Deposition is the same thing as the Court or traffic 5 or whatever you've testified in, because you were 6 sworn in and have given testimony; is that correct? 7 A Yes. 8 Q So today, since this is a Civil matter, I'm trying to 9 secure some information; we call it Discovery. I'm 10 sure you've heard that terminology. So I'm trying to 11 secure, by way of Discovery, information about what 12 occurred on the date of the shooting. 13 Now I'm not here to argue 14 with you; I'm not trying to trick you, because it's a 15 video. So a lot of the facts are going to be shown 16 on the video, okay? So I'm not coming in here 17 bombastic and all of that. But just like in Court, 18 so what happens is, I will ask a question, and I 19 would respectfully ask you to permit me to complete 20 the question before you start answering, is that 21 okay? 22 A Certainly. 23 Q Likewise, before I ask a subsequent question, I'm 24 going to give you the courtesy to permit you to give 25 a full answer, and then I may ask another question,</p>

<p style="text-align: right;">6</p> <p>1 okay?</p> <p>2 A Yes, sir.</p> <p>3 Q In the event that I ask you something, and you do not</p> <p>4 understand the question, just advise me, and that way</p> <p>5 I will rephrase the question, restate it or do</p> <p>6 whatever is necessary for us to effectively</p> <p>7 communicate, okay?</p> <p>8 A Yes, sir.</p> <p>9 Q I think that is the extent of the parameter. Oh, if</p> <p>10 there comes a point, not that I think that it is</p> <p>11 going to, but you want to take a break, if I have a</p> <p>12 question on the floor, I respectfully ask you to</p> <p>13 answer the question, then take a break.</p> <p>14 You know you can confer with your</p> <p>15 Counsel on any break or anything of that sort. There</p> <p>16 is nothing to hide about this particular process.</p> <p>17 A Yes, sir.</p> <p>18 Q Okay?</p> <p>19 A Yes.</p> <p>20 MR. LEWIS: This is not an</p> <p>21 endurance test. If you need a break, just ask for</p> <p>22 one.</p> <p>23 BY MR. HALL, CONTINUING:</p> <p>24 Q Yes, because I might take one.</p> <p>25 MR. LEWIS: I'm going to take one</p>	<p style="text-align: right;">8</p> <p>1 A I do.</p> <p>2 Q Okay. Could you explain to me your Military Service,</p> <p>3 and by that, when did you enter?</p> <p>4 A 2001</p> <p>5 Q And what Branch?</p> <p>6 A Army.</p> <p>7 Q And I'm a little older than you; so we used to get</p> <p>8 drafted, but I guess you were not drafted, you were</p> <p>9 enlisted --</p> <p>10 A Yes.</p> <p>11 Q Okay. So you enlisted in the Army?</p> <p>12 A Yes.</p> <p>13 Q How long were you there?</p> <p>14 A Roughly two years.</p> <p>15 Q How long did you sign up for?</p> <p>16 A Four.</p> <p>17 Q Did you sustain an injury or something --</p> <p>18 A Yes.</p> <p>19 Q -- that caused you to leave?</p> <p>20 A Yes.</p> <p>21 Q Was it a physical injury?</p> <p>22 A Yes.</p> <p>23 Q Did it cause you to sustain any Military -- well,</p> <p>24 back in 2001 you could have been in combat.</p> <p>25 A Yes.</p>
<p style="text-align: right;">7</p> <p>1 too.</p> <p>2 MR. HALL: I took my medication,</p> <p>3 and so --</p> <p>4 MR. LEWIS: Sure. I got you.</p> <p>5 BY MR. HALL, CONTINUING:</p> <p>6 Q Are you married?</p> <p>7 A I am.</p> <p>8 Q Okay. And I don't mean to embarrass you, but none of</p> <p>9 these questions are intended to embarrass you,</p> <p>10 especially what I am getting ready to ask you; for</p> <p>11 instance, have you ever been divorced?</p> <p>12 A No.</p> <p>13 Q Okay. So you know the question about the last time</p> <p>14 you beat up your wife?</p> <p>15 A What's that?</p> <p>16 Q I am just kidding. Sir, you are taking this too</p> <p>17 serious. And I know --</p> <p>18 MR. LEWIS: He's just getting --</p> <p>19 the record should reflect that we are all smiling.</p> <p>20 BY MR. HALL, CONTINUING:</p> <p>21 Q Okay. In any event, you are married. Do you have</p> <p>22 children?</p> <p>23 A I do not.</p> <p>24 Q Okay. Let me ask you this. Do you have any Military</p> <p>25 Service?</p>	<p style="text-align: right;">9</p> <p>1 Q And you were?</p> <p>2 A Yes.</p> <p>3 THE COURT REPORTER: Can you keep</p> <p>4 your voice up for me?</p> <p>5 THE WITNESS: Absolutely.</p> <p>6 BY MR. HALL, CONTINUING:</p> <p>7 Q Was there any mental basis for the breakdown that</p> <p>8 caused you to separate yourself from the Army?</p> <p>9 A Mental what, I'm sorry?</p> <p>10 Q Mental, mental breakdown?</p> <p>11 A No.</p> <p>12 Q Okay. Because you said you suffered an injury. I</p> <p>13 didn't necessarily, for my purposes today, I didn't</p> <p>14 necessarily need to go into your privacy as to what</p> <p>15 type of injury, that's why I was going around it.</p> <p>16 A I understand.</p> <p>17 Q And then I asked about if there was a mental, because</p> <p>18 I was going to try to hear it and just kind of let it</p> <p>19 go, unless at another point in time we had to deal</p> <p>20 with it. But I don't want to get into all of that.</p> <p>21 But in any event, you left early --</p> <p>22 A Yes.</p> <p>23 Q -- as you've indicate. Okay. So after you left the</p> <p>24 Military and -- strike that. In terms of the</p> <p>25 Military, had you completed High School before you</p>

<p style="text-align: right;">10</p> <p>1 went to the Military?</p> <p>2 A Yes.</p> <p>3 Q Had you had an occasion to attend College before you</p> <p>4 went to the Military?</p> <p>5 A I did.</p> <p>6 Q Okay. When did you graduate from High School?</p> <p>7 A It's 1998,</p> <p>8 Q I really didn't know how old you were, so I couldn't</p> <p>9 tell to figure out the chronology of your life. So</p> <p>10 1998; what High School did you attend?</p> <p>11 A Sauquoit Valley Central School.</p> <p>12 Q Okay. So I am not even going to --</p> <p>13 A You want me to spell it for you?</p> <p>14 Q Yes, that would be good for her.</p> <p>15 A S-a-u-q-u-o-i-t, just like it sounds.</p> <p>16 Q And where is that?</p> <p>17 A That is in Sauquoit New York, up State New York.</p> <p>18 Q Oh, and you graduated in 1998, and did you further</p> <p>19 your education after 1998?</p> <p>20 A Yes, I did.</p> <p>21 Q And where did you go, and what did you do?</p> <p>22 A I went to -- I'm sorry. I went to Mohawk Valley</p> <p>23 Community College for roughly a year and a half, and</p> <p>24 then I joined the Military.</p> <p>25 Q So Mohawk Valley, is that in New York too?</p>	<p style="text-align: right;">12</p> <p>1 A It's still around.</p> <p>2 Q Okay. I was just wondering.</p> <p>3 A Yes, it's still around. I know some Colleges have</p> <p>4 it, you know, but we didn't have any ROTC. Some of</p> <p>5 the smaller schools -- or larger schools might have</p> <p>6 had that, but we didn't.</p> <p>7 Q Okay. Obviously Vietnam was going on when I was</p> <p>8 ending, and a lot of people could give you -- you</p> <p>9 know, than being an just being an enlisted guy</p> <p>10 getting drafted, you could come up in Rank --</p> <p>11 A Yes.</p> <p>12 Q It sounds like some of your education might have</p> <p>13 helped you. I know it might have helped you with the</p> <p>14 testing, but you say Private First Class --</p> <p>15 A Yes.</p> <p>16 Q -- so you started out as an enlisted person, and</p> <p>17 then you progressed upward, is that correct?</p> <p>18 A Because I had some College, I went in Private First</p> <p>19 Class.</p> <p>20 Q Okay. That's what I'm talking about. College</p> <p>21 helped.</p> <p>22 A College helped out a little bit.</p> <p>23 Q Okay. And so when you received your discharge from</p> <p>24 the Military, you were Private First Class?</p> <p>25 A Yes.</p>
<p style="text-align: right;">11</p> <p>1 A It is.</p> <p>2 Q Up there by --</p> <p>3 A Utica, Syracuse of -- East of Syracuse.</p> <p>4 Q Okay. So you were in snow country? What was your</p> <p>5 area of concentration at Mohawk?</p> <p>6 A Criminal Justice.</p> <p>7 Q So did you acquire a Associates Degree from Mohawk?</p> <p>8 A Not at that point. Not until after the Army.</p> <p>9 Q So you leave Mohawk and you join the Military. I am</p> <p>10 just wonders if the -- did the War have anything to</p> <p>11 do with you deciding to go into the Military?</p> <p>12 A No.</p> <p>13 Q Okay.</p> <p>14 A I was already in at that point.</p> <p>15 Q When the War started?</p> <p>16 A Yes.</p> <p>17 Q Okay. Now what your Rank? What was the highest Rank</p> <p>18 you achieved in the Military?</p> <p>19 A Private First Class.</p> <p>20 Q During the period of time that you were in High</p> <p>21 School we had a program here they called ROTC; were</p> <p>22 you a member of that?</p> <p>23 A No, sir. We didn't have that in school, in our High</p> <p>24 School.</p> <p>25 Q So that's over, ROTC?</p>	<p style="text-align: right;">13</p> <p>1 Q Honorable Discharge?</p> <p>2 A Yes.</p> <p>3 Q So when you were discharged from the Military, did</p> <p>4 you have to do some sort of recuperation or physical</p> <p>5 therapy or something of that sort?</p> <p>6 A They gave me a Cam Walker.</p> <p>7 Q You have got to explain that. I am not familiar with</p> <p>8 that.</p> <p>9 A Okay. I suffered a foot injury.</p> <p>10 Q Okay.</p> <p>11 A And they did not give me specific therapy. They gave</p> <p>12 me a Cam Walker. It's a --</p> <p>13 Q What's a Cam Walker?</p> <p>14 A It's a walking, what do they call that --</p> <p>15 MR. LEWIS: Boot?</p> <p>16 THE WITNESS: Boot, yes. So I</p> <p>17 had to wear that for a period of time.</p> <p>18 BY MR. HALL, CONTINUING:</p> <p>19 Q So you went out the door with the boot on?</p> <p>20 A Yes.</p> <p>21 Q But you still had the opportunity to go to a VA</p> <p>22 Hospital though, I would take it?</p> <p>23 A I did. I had the opportunity.</p> <p>24 Q Okay. But you treated locally wherever you went back</p> <p>25 to live?</p>

<p style="text-align: right;">14</p> <p>1 A Yes.</p> <p>2 Q Okay. Where did you go back to live after that, by</p> <p>3 the way?</p> <p>4 A Sauquoit.</p> <p>5 Q Okay.</p> <p>6 A The Town just next door, Chadwicks, is where I grew</p> <p>7 up. So it's that area.</p> <p>8 Q Okay. So you leave the Military I 2003?</p> <p>9 A Yes.</p> <p>10 Q What do you decide to do with yourself after 2003?</p> <p>11 A What? I'm sorry.</p> <p>12 Q Did you decide to go to College, after 2003?</p> <p>13 A Yes.</p> <p>14 Q Okay. What College did you determine that you were</p> <p>15 going to go to?</p> <p>16 A Finish out at Mohawk Valley Community College.</p> <p>17 Q Okay. And did you?</p> <p>18 A Yes.</p> <p>19 Q And what degree did you attain at Mohawk?</p> <p>20 A At that point I attained an Associates.</p> <p>21 Q Criminal Justice?</p> <p>22 A Yes, sir.</p> <p>23 Q When you are taking a degree in Criminal Justice, how</p> <p>24 many of the credits were for your major in Criminal</p> <p>25 Justice, and then the regular general educational,</p>	<p style="text-align: right;">16</p> <p>1 has to be for your major, but also, was there another</p> <p>2 area of concentration that you had?</p> <p>3 A No, there was not.</p> <p>4 Q Okay. So general studies, plus you are looking for</p> <p>5 your major?</p> <p>6 A Major in Criminal Justice.</p> <p>7 Q Okay. So when did you receive your degree from</p> <p>8 Mohawk?</p> <p>9 A 2004.</p> <p>10 Q Okay. After you acquired the Associates degree, did</p> <p>11 you determine then and there, and I mean in 2004, or</p> <p>12 205 that you were going to secure additional</p> <p>13 education?</p> <p>14 A I did.</p> <p>15 Q Where did you attend?</p> <p>16 A Utica College of Syracuse University.</p> <p>17 Q How long were you there?</p> <p>18 A Two years.</p> <p>19 Q Did you attain a degree?</p> <p>20 A Yes, I have.</p> <p>21 Q What degree was that?</p> <p>22 A That was a Bachelor of Science, Criminal Justice.</p> <p>23 Q Where were you stationed in the Military?</p> <p>24 A Hunter Army Airfield. Georgia.</p> <p>25 Q And were you there for the year and a half or did you</p>
<p style="text-align: right;">15</p> <p>1 was it fifty/fifty or how do you recall it?</p> <p>2 A I don't know. I don't know.</p> <p>3 Q Did you decide that you wanted to be a Police Officer</p> <p>4 at that point in time?</p> <p>5 A Yes.</p> <p>6 Q In terms of when you were in the Military, were you</p> <p>7 involved in any Police training or Law Enforcement or</p> <p>8 Military, whatever the -- Military, I forgot what</p> <p>9 the version of the Law Enforcement is, in the</p> <p>10 Military.</p> <p>11 A No.</p> <p>12 Q Were you a member in the Military of any Law</p> <p>13 Enforcement?</p> <p>14 A I'm sorry. Are you talking like Military Police?</p> <p>15 Q Yes, that's right.</p> <p>16 A No, I was not.</p> <p>17 Q Okay.</p> <p>18 A No.</p> <p>19 Q So when you went back to Mohawk, did you have a</p> <p>20 determination in your head that you were going to be</p> <p>21 a Police Officer?</p> <p>22 A Yes.</p> <p>23 Q Okay. And so in terms of during your academic</p> <p>24 courses, well really what I was asking just, was most</p> <p>25 of them for your major? And I know the bulk of them</p>	<p style="text-align: right;">17</p> <p>1 go other places?</p> <p>2 A I was there the whole time. Well, I went to Fort</p> <p>3 Benning for training, and then Hunter Army Airfield</p> <p>4 after that.</p> <p>5 Q Okay. So I'm sorry, Utica College at Syracuse; when</p> <p>6 did you attain the degree? You got your associates</p> <p>7 in 2004?</p> <p>8 A Un-huh. 2006.</p> <p>9 Q Did you start working at that point, in 2006? Did</p> <p>10 you decide that you were going to go into the</p> <p>11 community and start working?</p> <p>12 A No, I worked different jobs.</p> <p>13 Q Okay. Because ultimately I'm going to try to get you</p> <p>14 to when you first started in Law Enforcement.</p> <p>15 A Okay.</p> <p>16 Q When did you first start working in Law Enforcement?</p> <p>17 A I went to the Police Academy in New York. I believe</p> <p>18 it was 2008.</p> <p>19 Q Prior to going into the Police Academy, had you been</p> <p>20 involved in any Law Enforcement training or</p> <p>21 employment?</p> <p>22 A No.</p> <p>23 Q Okay. So you go into the Police Academy in 2008; you</p> <p>24 graduated that year?</p> <p>25 A Yes.</p>

<p style="text-align: right;">18</p> <p>1 Q And after you graduated in 2008, did you sign on with 2 any department? 3 A While I was going to the Academy there, I got a 4 conditional offer in Dearborn. 5 Q How did that happen? Because I was wondering how you 6 came here, but that's interesting. 7 A My wife. 8 MR. LEWIS: Good answer. 9 THE WITNESS: Yes. 10 BY MR. HALL, CONTINUING: 11 Q What, she was already in Dearborn or -- 12 A She was in Michigan. 13 Q Michigan. Did you have to apply? I mean where did 14 it come from, the conditional offer? Did it come 15 just from the -- 16 A I absolutely applied. 17 Q When you came -- so then you had a conditional offer 18 and you come to Michigan, is that correct? 19 A Yes. I had already been living in Michigan. I went 20 to an Academy in New York, because I was possibly 21 going to be getting a job in my hometown, but it 22 didn't work out that way. 23 Q Okay. So you get a conditional offer in Dearborn, 24 did you accept it? 25 A Yes.</p>	<p style="text-align: right;">20</p> <p>1 Q -- but then I see a couple stripes on your uniform. 2 So what's the progression in Dearborn? You started 3 out as an Officer -- 4 A Yes. 5 Q Did there come a point in time when you were promoted 6 or tested for a higher Rank? 7 A You automatically get promoted after four years. 8 Q Okay. And you get promoted to what? 9 A Corporal. 10 Q Okay. To Corporal. 11 A Yes. 12 Q So is that what the two stripes -- 13 A Yes. 14 Q -- signify, that you are a Corporal? 15 A Yes, sir. 16 Q Okay. So what do you have to do if you have it, in 17 the hierarchy of Sergeant, what do you do to become a 18 Sergeant in Dearborn? 19 A From what I've heard is you have to take a written 20 exam; you have to go in front of, I believe a Board. 21 I know things have changed recently. But I do know 22 you have to take a written Exam. 23 Q Okay. So in terms of four years, you do four years, 24 and is it automatic that you become a Corporal or do 25 they have to --</p>
<p style="text-align: right;">19</p> <p>1 Q What year? 2 A 2009. 3 Q Did you have to -- in Michigan, did you have to take 4 any classes at the Academy? 5 A I did. 6 Q Where did you go? 7 A Wayne County Regional, Schoolcraft College. 8 Q Okay. And you completed that study within the year 9 of 2009? 10 A Yes. 11 Q And you graduated from the Academy a second time? So 12 after you graduated from the Academy then, did you 13 start with the Dearborn Police Department? 14 A I did. 15 Q What were you hired in as? 16 A I'm sorry? 17 Q What Rank? What were you hired I as a Dearborn 18 Police? 19 A Officer. 20 Q Okay. It's interesting about Dearborn, I've noticed 21 because a lot of places they have Officer, then you 22 can move up to Sergeant, then et cetera, et cetera, 23 et cetera. So I didn't understand, like today you 24 say you're a Corporal -- 25 A Yes.</p>	<p style="text-align: right;">21</p> <p>1 A It's automatic. 2 Q Hey we are doing good. Just slightly you answered 3 before I finished. I have no problem with it, 4 because it was right on time. So that was good. But 5 I'm just saying for the Stenographer. 6 And a lot of times what's going 7 to happen, or maybe you can anticipate what I am 8 asking, and you will answer the question before I 9 finish. That routinely happens. That's no big deal. 10 But if it happens, I am not being offensive, but I 11 might ask you to restate your answer or something 12 like that, just so the record is clear. 13 MR. LEWIS: That way the written 14 record comes out question, answer, question, answer, 15 to the extent visible. 16 THE WITNESS: I got you. 17 BY MR. HALL, CONTINUING: 18 Q So in any event, you become a Corporal, and does your 19 duties expand when you become a Corporal or what 20 happens? 21 A No, they don't. 22 Q You still work in the Community on the road? 23 A Absolutely, yes. 24 Q Okay. And specifically you became a Corporal in what 25 year?</p>

<p style="text-align: right;">22</p> <p>1 A 2013.</p> <p>2 Q Now after you became a Corporal, did you have to do</p> <p>3 any additional training? Well let me ask you a</p> <p>4 different question then. I would assume that in your</p> <p>5 Department, there is some regular training that you</p> <p>6 have to take from time to time, training, policies,</p> <p>7 procedures --</p> <p>8 A Yes.</p> <p>9 Q -- updates? Okay. So after 2013, when you became a</p> <p>10 Corporal, did you -- was it mandatory that you take</p> <p>11 any additional training, be it in-house or outside?</p> <p>12 And when I say outside, I mean where you might go</p> <p>13 somewhere for a seminar or something like that.</p> <p>14 A Yes.</p> <p>15 Q What additional training did you have after 2013, if</p> <p>16 any, if you recall?</p> <p>17 A I had counter ambush training on traffic stops. I</p> <p>18 had firearms instructor training.</p> <p>19 Q Let me stop you before you go further. Do you</p> <p>20 maintain a matrix of the training that you've had</p> <p>21 since 2013 or matrix or any kind of diary or</p> <p>22 documentation as to what -- all of the training</p> <p>23 courses that you've has since 2013?</p> <p>24 MR. LEWIS: You mean does he do</p> <p>25 that personally?</p>	<p style="text-align: right;">24</p> <p>1 seminar or that course take?</p> <p>2 A I believe a week.</p> <p>3 Q Do you do it locally, and when I say locally, I mean</p> <p>4 in the Region -- in this Region, or did you have to</p> <p>5 go somewhere else?</p> <p>6 A I did it in this Region.</p> <p>7 Q Okay. Now in terms of the counter ambush training,</p> <p>8 and this is for traffic stops --</p> <p>9 A Yes.</p> <p>10 Q Did you maintain the manual? Was there some training</p> <p>11 material that you received?</p> <p>12 A There was a, all we had was a thumb drive.</p> <p>13 Q That's the way it goes now. I am really somewhat</p> <p>14 interested in it, because when you talk about counter</p> <p>15 ambush training and traffic stops, well then that</p> <p>16 starts getting you prepared for split second</p> <p>17 determinations about whether or not you are going to</p> <p>18 use force or de-escalate or what you are going to do.</p> <p>19 Some of that was addressed in</p> <p>20 that seminar, is that correct?</p> <p>21 A Yes.</p> <p>22 Q Okay. Who taught that course?</p> <p>23 A I forgot his name.</p> <p>24 Q Well what's the overall, do you remember the overall</p> <p>25 name of it, if you don't remember the individual, for</p>
<p style="text-align: right;">23</p> <p>1 MR. HALL: Yes.</p> <p>2 BY MR. HALL, CONTINUING:</p> <p>3 Q Did you maintain it personally?</p> <p>4 A No.</p> <p>5 Q Okay.</p> <p>6 A No.</p> <p>7 Q Does the Department maintain, in your personnel file,</p> <p>8 a list and registration of all of the training that</p> <p>9 you've had, the seminars and this additional</p> <p>10 training?</p> <p>11 A I would venture to guess, yes.</p> <p>12 Q I mean you notified the Department that you were</p> <p>13 going to do this or sometimes they direct you to do</p> <p>14 it?</p> <p>15 A Yes.</p> <p>16 Q Both?</p> <p>17 A Yes, they do.</p> <p>18 Q They direct you and sometimes you might --</p> <p>19 A They sign off on whether or not I can go to whatever</p> <p>20 training.</p> <p>21 Q So you said counter ambush training?</p> <p>22 A Yes.</p> <p>23 Q When was that?</p> <p>24 A I don't know.</p> <p>25 Q Okay. How long, if you remember, how long did that</p>	<p style="text-align: right;">25</p> <p>1 instance, if he was from any particular Association.</p> <p>2 A I'm sorry, Troy Police Department.</p> <p>3 Q Could that have been 2015, 2016, 2017? I'm asking</p> <p>4 you to guess now, when you could have taken the</p> <p>5 course.</p> <p>6 A Oh, the date?</p> <p>7 Q Yes. The year, because I know you can't get the</p> <p>8 date.</p> <p>9 A No, it was, I believe it was in 2021.</p> <p>10 Q You indicated that after becoming a Corporal, there</p> <p>11 was some other training that you received. You had</p> <p>12 listed one, and I didn't write it down. What was the</p> <p>13 other one?</p> <p>14 A Firearms Instructor.</p> <p>15 Q You became a Firearms Instructor?</p> <p>16 A Yes, sir.</p> <p>17 Q So did you have to draw back from some of your</p> <p>18 Military training and experience?</p> <p>19 A What do you mean?</p> <p>20 Q In the Military you learned how to use a firearm too?</p> <p>21 A Yes.</p> <p>22 Q So now you went to Firearm Instructing School. Was</p> <p>23 it kind of related to what you had learned in the</p> <p>24 Military or you had some sort of --</p> <p>25 MR. LEWIS: Objection.</p>

<p style="text-align: right;">26</p> <p>1 MR. HALL: -- up on the others?</p> <p>2 MR. WILLIAMS: I will object to</p> <p>3 the form. You can answer Tim, if you can.</p> <p>4 THE WITNESS: No.</p> <p>5 BY MR. HALL, CONTINUING:</p> <p>6 Q So any event, where did you take this course?</p> <p>7 A I took it at Schoolcraft Academy.</p> <p>8 Q When did you do that?</p> <p>9 A Around the same time as the last class.</p> <p>10 Q 2021?</p> <p>11 A 2021, 2022.</p> <p>12 Q Okay. How long was that course?</p> <p>13 A I believe that was a week as well.</p> <p>14 Q Is there levels of -- well, did you get a</p> <p>15 certificate after?</p> <p>16 A I believe I received a certificate, yes.</p> <p>17 Q Okay. And is there levels of Firearm Instructors?</p> <p>18 Like Accident Reconstructionist, like there is</p> <p>19 A,B,C,D --</p> <p>20 A Not that I know of.</p> <p>21 Q Are you an Instructor now with firearms? You're a</p> <p>22 Firearms Instructor?</p> <p>23 A Yes.</p> <p>24 Q And do you teach that to members in your Department,</p> <p>25 or do you also conduct seminars outside of the</p>	<p style="text-align: right;">28</p> <p>1 performance evaluations of Corporals? For instance,</p> <p>2 are you evaluated on a semi-yearly basis or yearly</p> <p>3 basis or what if any?</p> <p>4 A It's usually, I believe a yearly basis.</p> <p>5 Q And who does the evaluations?</p> <p>6 A The immediate Supervisor.</p> <p>7 Q So when you say an immediate Supervisor, what rank is</p> <p>8 that person, generally?</p> <p>9 A That's a Sergeant.</p> <p>10 Q During the period of time that you've been a</p> <p>11 Corporal, you've never been demoted, have you?</p> <p>12 A No.</p> <p>13 Q Have you received any awards for anything during the</p> <p>14 course of your tenure with the Dearborn Police</p> <p>15 Department?</p> <p>16 A Yes.</p> <p>17 Q For what, if you recall?</p> <p>18 A Accommodations, I believe that's what it was,</p> <p>19 Accommodation.</p> <p>20 Q For what, if you remember?</p> <p>21 A A gentleman with a gun up on Tireman, was holding his</p> <p>22 Grandparents hostage. This gentleman exited the</p> <p>23 backdoor, walked towards me, had a gun in his</p> <p>24 waistband and took off running. I chased him up into</p> <p>25 Detroit --</p>
<p style="text-align: right;">27</p> <p>1 Department</p> <p>2 A Just within the Department.</p> <p>3 Q Okay. When individuals, new hires, they come from</p> <p>4 the Academy, do you train them about firearms?</p> <p>5 A Yes.</p> <p>6 Q Okay. And you've been doing that a couple years --</p> <p>7 A No.</p> <p>8 Q -- training?</p> <p>9 A No.</p> <p>10 Q How long have you been training in firearms?</p> <p>11 A With new hires?</p> <p>12 Q Yes.</p> <p>13 A Two months.</p> <p>14 Q When did -- prior to doing new hires, were you</p> <p>15 training anyone else in firearm safety and firearm</p> <p>16 instructions?</p> <p>17 A I did not at that point, no.</p> <p>18 Q Okay. So you attained a certificate and you didn't</p> <p>19 start utilizing it until a point later, mis that</p> <p>20 correct?</p> <p>21 A Yes.</p> <p>22 Q Any other important training that you can think of?</p> <p>23 A That's all I know of.</p> <p>24 Q ???????</p> <p>25 Q With the Dearborn Police Department, do they keep</p>	<p style="text-align: right;">29</p> <p>1 Q By car or foot?</p> <p>2 A By foot.</p> <p>3 Q Okay.</p> <p>4 A He threw his gun, and I was able to apprehend him.</p> <p>5 Q Did you retrieve the firearm?</p> <p>6 A Yes. Lifesaving award --</p> <p>7 Q When was that --</p> <p>8 A I'm sorry.</p> <p>9 Q What year was that, if you recall?</p> <p>10 MR. LEWIS: Just do the best you</p> <p>11 can Tim. I understand it's an approximation. Do the</p> <p>12 best you can.</p> <p>13 THE WITNESS: I'd say 2016.</p> <p>14 BY MR. HALL, CONTINUING:</p> <p>15 Q Okay.</p> <p>16 A 2017.</p> <p>17 Q And that's my fault. When I am asking you to guess</p> <p>18 or speculate, I should tell you. Counsel is right.</p> <p>19 Okay.</p> <p>20 MR. LEWIS: You said something</p> <p>21 about a lifesaving award. I think that's where you</p> <p>22 left off.</p> <p>23 THE WITNESS: Yes.</p> <p>24 BY MR. HALL, CONTINUING:</p> <p>25 Q What was that about?</p>

<p style="text-align: right;">30</p> <p>1 A A child got hit by a car, just off of Ford Road, and 2 he was under the car. I was able to get a carjack, 3 jack the car up, and we retrieved the child from 4 underneath the car. He suffered a cracked skull, 5 broken legs, broken hips, broken feet. 6 I believe he broke his ribs, and 7 we retrieved him, pulled him out; stayed with him. 8 Bleeding from the ears. 9 MR. LEWIS: Take your time. You 10 are doing fine. 11 THE WITNESS: I'm sorry. 12 MR. LEWIS: It's okay. Take your 13 time. 14 THE WITNESS: Rescue came, and we 15 were able to close off traffic. You know, he did 16 fine. 17 MR. HALL: Beautiful. 18 THE WITNESS: I'm sorry. 19 BY MR. HALL, CONTINUING: 20 Q That's okay. We got enough of it, and I appreciate 21 that, you sharing that. And so we got enough. Any 22 other positive things that you want to speak about? 23 A Police Officer of the Year for POAM. That was in, I 24 believe 2017. Some gentlemen came into the station 25 with rifles. I was working the desk that day. And</p>	<p style="text-align: right;">32</p> <p>1 A Yes. 2 Q -- a felonious act; is that correct? 3 A Yes. 4 Q And so then you saw him in possession of the firearm. 5 So you demonstrated a great deal of restrain at that 6 point in time; is that correct? 7 A Restraint to the extend that he came out, and you 8 still saw a weapon; you had the transmission in your 9 head about he was holding someone hostage with a 10 firearm, so that was a felon; could have been 11 kidnapping or a host of other criminal acts. 12 So then you see him come out, he 13 has the weapon, and you do not shoot him? 14 MR. LEWIS: Object to the 15 form. 16 BY MR. HALL, CONTINUING: 17 Q Do you understand the question that I asked you? 18 MR. LEWIS: It was a little long. 19 MR. HALL: I know. 20 MR. LEWIS: That's the reason -- 21 MR. HALL: Okay. 22 BY MR. HALL, CONTINUING: 23 Q So you didn't shoot the person upon seeing him; is 24 that correct? 25 A No.</p>
<p style="text-align: right;">31</p> <p>1 me and my Sergeant handled that situation. 2 Q I saw that. 3 A We were able to de-escalate the situation. We took 4 control of the scene, and nobody got hurt. 5 Q That's still online. Let me ask you this. In terms 6 of when you received the accommodation for chasing 7 the gentleman that had the firearm, and you chased 8 him into Detroit to retrieve the firearm, and you 9 also apprehended the guy -- 10 A Yes. 11 Q -- well, you indicated that with respect to that 12 person, you happened to see a firearm in his 13 waistband -- 14 A Yes. 15 Q -- is that correct? In terms of when you made that 16 observation of the firearm on his waistband, did you 17 receive a radio transmission to cause you to be in 18 the area, or what caused you to be in that area? 19 A Dispatch advised Officers that this subject was 20 holding his Grandparents hostage, at gunpoint. 21 Q And when you arrived, you said he came outside? 22 A Yes. 23 Q Okay. So at that point in time, you had, I guess you 24 could have believed that he had been a felon, that he 25 had committed --</p>	<p style="text-align: right;">33</p> <p>1 Q And then you indicated that you chased him. So did 2 he turn around and run away from you -- 3 A Yes. 4 Q -- or did he try to run past you? 5 A He turned around and ran away. 6 Q In opposite of you? 7 A Most people run away from me. 8 Q Okay. And during the period of time that you were 9 pursuing him, how long did he run before he 10 ultimately dropped his weapon or threw it away? 11 A Roughly seventy yards. 12 Q Okay. 13 A Fifty to seventy yards. 14 Q Okay. And during that fifty to seventy yards, did 15 you ask him to drop the weapon or did you make any 16 commands? 17 A I did. I told him to drop his gun, and I advised the 18 other Officers on scene that he had a gun. 19 Q So that was a method of de-escalation; is that 20 correct? 21 A Yes. 22 Q So you have had training with respect to de- 23 escalation? 24 A Yes. 25 Q And you've had training about the use of force and</p>

<p style="text-align: right;">34</p> <p>1 when to use it; is that correct?</p> <p>2 A Yes.</p> <p>3 Q And in terms of your training with respect to de-</p> <p>4 escalation and use of force, when was the last time</p> <p>5 you had training with respect to that?</p> <p>6 MR. LEWIS: I would object to the</p> <p>7 form. You can answer.</p> <p>8 THE WITNESS: I believe it was</p> <p>9 last Spring.</p> <p>10 BY MR. HALL, CONTINUING:</p> <p>11 Q So we are talking about 2022?</p> <p>12 A Yes.</p> <p>13 Q And this incident --</p> <p>14 MR. LEWIS: You looking for the</p> <p>15 date?</p> <p>16 MR. HALL: I don't want to get</p> <p>17 the date wrong, yes.</p> <p>18 MR. LEWIS: It's December 18,</p> <p>19 2022.</p> <p>20 MR. HALL: Yes, December.</p> <p>21 BY MR. HALL, CONTINUING:</p> <p>22 Q So you had the training before the incident on</p> <p>23 December 18, 2022; is that correct?</p> <p>24 A Yes.</p> <p>25 Q So in terms of the training that you received</p>	<p style="text-align: right;">36</p> <p>1 drive or did they give you any written material?</p> <p>2 A I don't remember.</p> <p>3 Q And do you maintain a copy of the policy, the de-</p> <p>4 escalation policy and the use of force policy?</p> <p>5 A Do I personally?</p> <p>6 Q Yes, keep it, at home or something?</p> <p>7 A Yes.</p> <p>8 Q With respect to the situation in 2017, as I recall,</p> <p>9 individuals came into the station; two guys came into</p> <p>10 the station; one of them had a weapon, maybe both of</p> <p>11 them, but it was a weapon, is that correct?</p> <p>12 A Yes.</p> <p>13 Q And the weapon was out?</p> <p>14 A Yes.</p> <p>15 Q And a long gun and a short gun or multiple weapons,</p> <p>16 what do you recall?</p> <p>17 A I believe the main weapon was a long gun.</p> <p>18 Q Okay. Now when this person walked into the station,</p> <p>19 was any civilians in the station?</p> <p>20 A There was.</p> <p>21 Q How many civilians did you see?</p> <p>22 A There was one.</p> <p>23 Q Was it a male or a woman?</p> <p>24 A It was a male.</p> <p>25 Q A male did you say, I'm sorry?</p>
<p style="text-align: right;">35</p> <p>1 regarding de-escalation and use of force, when was it</p> <p>2 that -- I'm sorry. You said it was in the Spring of</p> <p>3 2022?</p> <p>4 A Yes.</p> <p>5 Q Where was that training? Was that in-house training</p> <p>6 or did you go somewhere for that particular training?</p> <p>7 A That was in-house.</p> <p>8 Q Okay. Now when you were having the in-house</p> <p>9 training, was that training regarding the policy that</p> <p>10 the Department had, your Department had with respect</p> <p>11 to de-escalation and use of force policy?</p> <p>12 A I believe so.</p> <p>13 Q Was a Sergeant or another superior Officer, was he</p> <p>14 the one that was doing the lecturing, or was it an</p> <p>15 outside person?</p> <p>16 A It was within the Department.</p> <p>17 Q All Department?</p> <p>18 A Yes.</p> <p>19 Q Okay. Who offered that training or was heading that</p> <p>20 training, if you recall?</p> <p>21 A I don't know.</p> <p>22 Q Okay. How many days did you guys deal with the de-</p> <p>23 escalation and use of force policy?</p> <p>24 A I believe it was a day.</p> <p>25 Q During that particular day, did they give you a thumb</p>	<p style="text-align: right;">37</p> <p>1 A Yes, a male.</p> <p>2 Q Now in terms of your use of force policy, one of the</p> <p>3 things that you are conscious of is whether or not an</p> <p>4 actor, or let's say the person who had the firearm,</p> <p>5 whether or not they could visit harm upon anyone in</p> <p>6 the Community, that's something that you take into</p> <p>7 consideration when you act; is that correct?</p> <p>8 A Yes.</p> <p>9 Q So what's the thought when there is a citizen that's</p> <p>10 present, what does your policy tell you?</p> <p>11 MR. LEWIS: I'd object to the</p> <p>12 form.</p> <p>13 BY MR. HALL, CONTINUING:</p> <p>14 Q Does your policy speak to anything about another</p> <p>15 person being present, civilian?</p> <p>16 MR. LEWIS: I'm not sure he knows</p> <p>17 what the question is. I don't know what the question</p> <p>18 is.</p> <p>19 THE WITNESS: It just isn't</p> <p>20 clear.</p> <p>21 BY MR. HALL, CONTINUING:</p> <p>22 Q This is exactly what I asked you to do. If you don't</p> <p>23 understand something, this is what we should do. So</p> <p>24 what I am indicating and asking, the policy in this</p> <p>25 case -- strike that. In this case you made</p>

<p style="text-align: right;">38</p> <p>1 reference to the fact that 2017 two guys come in; one 2 has a long gun and maybe some other weapons, is that 3 correct? 4 A Yes. 5 Q You also indicated that there was a male citizen 6 within the close of the Department, the lobby area, 7 is that true? 8 A Yes. 9 Q Okay. So now you have a citizen, one of the concerns 10 that you have, is whether or not this person could 11 visit some harm upon the citizens who you've sworn to 12 protect, is that true? 13 A Yes. 14 Q Okay. So you have to make some quick decisions about 15 what you are going to do? 16 A Yes. 17 Q Where were you at the time the person walked into the 18 station with the firearm, these two guys that came 19 in, where were you in the station? 20 A I was in the lobby. 21 Q Okay. So I have been in your lobby multiple times. 22 So there is a glassed in area -- 23 A Un-huh. 24 Q -- where generally law enforcement is behind the 25 glassed in area, then there is a lobby. I am just</p>	<p style="text-align: right;">40</p> <p>1 the door where, for instance a Lawyer can walk 2 through the door to go and see an inmate. 3 Were you behind the door area 4 first when the Sergeant was shouting? 5 A I was behind the glass, where the desk is. 6 Q Okay. And so the Sergeant is shouting that 7 individuals are coming into the station? 8 A Yes. 9 Q And after you heard that information that they were 10 coming, you came out from behind the glass? 11 A Yes. 12 Q And you went over to the door, and you had to exit 13 the door to come into the lobby. Let me try to do 14 something. And I am not good at this. Before I 15 mark it, let me ask you if you can recognize it. I 16 probably should have asked you to draw it. 17 But ultimately we are going to 18 get into this some more, because we have a lobby area 19 too. Even though we've got a video, I think that 20 this is okay also. I don't have any problem. 21 MR. LEWIS: I don't have any 22 problem with the diagram. I would ask that, you 23 know, we've been at this for fifty minutes, and we 24 have not gotten to the incident in question yet. So 25 to --</p>
<p style="text-align: right;">39</p> <p>1 going to call it a lobby, the area where the citizens 2 can sit -- 3 A Yes. 4 Q -- and to the right there is the stairs to go 5 upstairs to the Detective Bureau. So you were in the 6 actual, what I've described as the lobby, you were in 7 the lobby when these guys walked in? 8 A Yes. 9 Q So was any other Officers with you at the time they 10 walked in? 11 A Yes. 12 Q And was it happenstance that you happened to be in 13 the lobby, or were you anticipating the visitation by 14 these individuals? 15 A We saw them on camera. 16 Q Okay. And when you say you saw him on camera, where 17 did you first pick him up at? 18 A I was advised by my Sergeant that they were entering 19 from the East log parking lot. 20 Q How did you receive that transmission or information? 21 A Through shouting. 22 Q Okay. Because I was wondering if it was a radio 23 transmission or was it verbal? So you heard it 24 verbally. So when you hear this, you were already in 25 the lobby or you were back behind the glass or behind</p>	<p style="text-align: right;">41</p> <p>1 MR. HALL: Yes, we are coming to 2 that. 3 MR. LEWIS: -- to the extent we 4 could speed it along, I would appreciate it. 5 MR. HALL: Yes, we are coming 6 there. Thank you. 7 MR. LEWIS: Sure. 8 MR. HALL: And just for the 9 record I want you know that I was familiar with this 10 particular incident. So the Corporal brought it up, 11 and I was going to address it. 12 MR. LEWIS: I understand. 13 MR. HALL: So this is good. 14 MR. LEWIS: The incident that you 15 are talking about is mentioned in the Complaint -- 16 MR. HALL: Yes. 17 MR. LEWIS: I don't think it has 18 any relevance, but it's in the Complaint. So I 19 understand why you are asking the questions you are 20 asking, but if we can -- 21 MR. HALL: And you understand why 22 we have it in the Complaint, for whatever -- 23 MR. LEWIS: I don't think it has 24 any relevance. But that's an issue for another day. 25 MR. HALL: Okay.</p>

<p style="text-align: right;">42</p> <p>1 BY MR. HALL, CONTINUING:</p> <p>2 Q In any event, this particular diagram, is this any</p> <p>3 type of representation of the entryway into the</p> <p>4 Police Department?</p> <p>5 A Roughly.</p> <p>6 Q So you were behind the desk, you hear a Sergeant,</p> <p>7 where was the Sergeant who made the statement about</p> <p>8 individuals were coming? So he was back here? Was</p> <p>9 he on that elevated area --</p> <p>10 A Yes.</p> <p>11 Q -- is the elevated area in the back?</p> <p>12 A Yes.</p> <p>13 Q So he's back there, and this is the Sergeant? I</p> <p>14 think I am going to mark it. I don't know if it is</p> <p>15 going to take us anywhere.</p> <p>16 (Whereupon Exhibit One was marked</p> <p>17 for identification by the Court Reporter)</p> <p>18 BY MR. HALL, CONTINUING:</p> <p>19 Q In any event, the rough diagram that I created is</p> <p>20 Exhibit One of your Deposition, Corporal. In any</p> <p>21 event, you received the information; so this is where</p> <p>22 the door is; is that correct, where I have door on</p> <p>23 the diagram?</p> <p>24 A Yes.</p> <p>25 Q Roughly?</p>	<p style="text-align: right;">44</p> <p>1 Q Okay. Who was your Sergeant, by the way, at that</p> <p>2 time if you recall?</p> <p>3 A Sergeant Garrison.</p> <p>4 Q Okay.</p> <p>5 A I entered the lobby to be with him, and to help</p> <p>6 protect him as well.</p> <p>7 Q Okay. So now you are confronted with two individuals</p> <p>8 that come in, but also you were equipped with</p> <p>9 information that these individuals have, potentially</p> <p>10 firearms, is that not correct?</p> <p>11 A I was told they had firearms.</p> <p>12 Q Okay. You don't know if they are real or not at this</p> <p>13 point, but I understand the caution. I'm with you.</p> <p>14 So you have information individuals with firearms?</p> <p>15 By the way, you didn't have an opportunity to see the</p> <p>16 video or the camera system that your Sergeant saw, is</p> <p>17 that correct?</p> <p>18 A That's correct.</p> <p>19 Q So relying on your Sergeant, you did -- you got the</p> <p>20 citizen out of potentially harms way, and then you</p> <p>21 come back out and you confront these guys. What did</p> <p>22 you do then?</p> <p>23 A We advised them to drop their weapons.</p> <p>24 Q Why did you do that?</p> <p>25 A Because the way that the subject was dressed, the</p>
<p style="text-align: right;">43</p> <p>1 A Roughly, yes.</p> <p>2 Q So you came from behind the desk and out the door?</p> <p>3 A There's a door here, a little hallway --</p> <p>4 Q Yes.</p> <p>5 A -- and the elevator over here. There's a door here</p> <p>6 that allows us to come down off of that front desk.</p> <p>7 Q Okay.</p> <p>8 A He yelled, there's men entering the building with</p> <p>9 rifles. A citizen was up here.</p> <p>10 Q Okay. I put a C and I circled it.</p> <p>11 A I ran up, grabbed him.</p> <p>12 Q And technically, this is West, and coming into the</p> <p>13 building is East?</p> <p>14 A Yes.</p> <p>15 Q Okay.</p> <p>16 A Yes. I brought him back in behind the secure area,</p> <p>17 and I handed him off to some other Officers, to get</p> <p>18 him out of the situation.</p> <p>19 Q Okay. Good. And so after you did that, you came</p> <p>20 back out the door or you came back into the lobby</p> <p>21 area or what did you do?</p> <p>22 A When I brought him in --</p> <p>23 Q Yes.</p> <p>24 A -- my Sergeant had already entered the lobby as they</p> <p>25 were walking in.</p>	<p style="text-align: right;">45</p> <p>1 fact that he had --</p> <p>2 Q Let me just stop you a moment. How was the subject</p> <p>3 dressed? What made you --</p> <p>4 A He had body armor -- I'm sorry. He had body armor</p> <p>5 on.</p> <p>6 Q Okay.</p> <p>7 A He had, from what I saw, bavaclava (ph).</p> <p>8 Q Who?</p> <p>9 A A bavaclava is a facemask --</p> <p>10 Q Okay.</p> <p>11 A A face covering.</p> <p>12 Q Okay. I am not familiar with that terminology.</p> <p>13 A We also noticed his partner had cameras attached to</p> <p>14 his shoulder. We didn't know if it was going to be a</p> <p>15 live televised shooting at that point.</p> <p>16 Q So have you read any studies where individuals have</p> <p>17 confrontations with Law Enforcement and they have</p> <p>18 suicidal ideations or are in effect trying to commit</p> <p>19 suicide? Have you read any of those studies and</p> <p>20 reports?</p> <p>21 A I have not.</p> <p>22 Q During any of your training and experience, was there</p> <p>23 ever any discussion about utilizing Law Enforcement</p> <p>24 to help them commit suicide?</p> <p>25 A I'm sorry?</p>

<p style="text-align: right;">46</p> <p>1 Q Help them commit suicide. I can do an act, and 2 really what I am trying to do is get you to shoot me. 3 A Yes, I know what you are talking about. 4 Q You've read some of that or you've had discussion 5 about that as a Law Enforcement person? 6 A Yes. 7 Q Which one was it? Was it some training or just 8 that's communication that's discussed among fellow 9 Officers? 10 A I don't know. 11 Q Well you know if you read a study or so. 12 A A study, no. 13 Q You might remember. 14 A A study, no. 15 Q In any event, what did you tell these guys when you 16 saw them? 17 A We told them to drop their weapons. 18 Q Let me ask you this, why did you come from behind the 19 desk, in the safety of the desk, to come back out 20 into the lobby? 21 A The safety? 22 Q Yes, of the desk area. 23 A I don't believe it's safe. 24 Q Why is that? 25 A I just don't believe it's safe.</p>	<p style="text-align: right;">48</p> <p>1 MR. LEWIS: Are we talking about 2 glass? 3 MR. HALL: Yes. The question 4 was, I asked him, why did he come from behind the -- 5 MR. LEWIS: Right. 6 MR. HALL: -- glass, and he said 7 that he didn't believe it was safe. 8 MR. LEWIS: Correct. And my 9 question was, what is it? What isn't safe? 10 MR. HALL: The glass. I am 11 talking about glass. 12 MR. LEWIS: I'm just trying to 13 confirm that we're talking about glass or the desk 14 area or both of those things. 15 MR. HALL: Okay. 16 BY MR. HALL, CONTINUING: 17 Q You understood what I was talking about? 18 A I thought you were talking about the desk area. 19 Q Right. That has glass around it. The glass is 20 around it, right. And I indicated to you, why would 21 you leave the safe area, and you just said that you 22 didn't believe it was safe. 23 A No, I don't, especially with a rifle. 24 Q Right. And then I asked you about any empirical data 25 or studies that you were aware of about this</p>
<p style="text-align: right;">47</p> <p>1 Q Yes, but I get what you are saying, that you don't 2 believe it's safe. Is there any particular training 3 or anything that causes you to believe that it's not 4 safe? 5 MR. LEWIS: I'd object to the 6 form. 7 BY MR. HALL, CONTINUING: 8 Q Have you had any studies or anything of that sort 9 where individuals have tried to penetrate the glass 10 with a projectile? 11 A No. 12 Q Okay. So when you say it's not safe, can you explain 13 that more? 14 A I don't believe it's safe. 15 Q Okay. And that's your personal belief, is that 16 correct? 17 A Yes. 18 Q And it's not based upon any empirical data that you 19 had or any studies or anything of that sort? 20 A I don't have any studies. 21 Q And not testing that you are familiar with? 22 MR. LEWIS: What isn't safe, the 23 desk? 24 MR. HALL: No. There is a glass 25 right here.</p>	<p style="text-align: right;">49</p> <p>1 particular glass? 2 A I don't know anything about studies. 3 Q Okay. And so then I was talking about whether or not 4 you have any knowledge of any projectile being able 5 to penetrate the glass, and you said you did not know 6 of any. 7 A No. 8 Q Okay. So in any event, you are telling the guys to 9 put the weapons down -- 10 A Yes. 11 Q -- is that correct? 12 A Yes. 13 Q Ultimately they put the weapons down, is that 14 correct? 15 A Yes. 16 Q Okay. And then they were taken into custody? 17 A Yes. 18 Q There again you were involved in a de-escalation, and 19 you were dealing within your mind, I would take it, 20 your use of force policy; is that correct? 21 MR. LEWIS: Object to the form. 22 BY MR. HALL, CONTINUING: 23 Q You had a de-escalating policy in 2017; is that true? 24 A Yes. 25 Q Okay. And you had a use of force policy in 2017?</p>

<p style="text-align: right;">50</p> <p>1 A Yes.</p> <p>2 Q Okay. And you were conscious of that when you were</p> <p>3 making these decisions as well as protecting the</p> <p>4 public, that being the citizen, in the acts that you</p> <p>5 took --</p> <p>6 A Yes.</p> <p>7 Q -- the action that you took?</p> <p>8 A Yes.</p> <p>9 Q Okay.</p> <p>10 MR. HALL: Let me go off the</p> <p>11 record for a second.</p> <p>12 (Whereupon a brief recess was</p> <p>13 taken at or about 2:01 p.m.)</p> <p>14 BY MR. HALL, CONTINUING:</p> <p>15 Q Just so happen I have a copy of a video, and it's</p> <p>16 still online. I think this is where Sam -- I mean</p> <p>17 where Mr. Bazzi received them or picked it up from.</p> <p>18 I'm not computer literate like this.</p> <p>19 But I'm going to have to start</p> <p>20 it, then I am going to have to ask you if you</p> <p>21 recognize anything, yourself really, so that I can</p> <p>22 authenticate it, then I'm going to ask Sharon to put</p> <p>23 a notation as it being marked, and I am going to use</p> <p>24 it as Exhibit Two after I have you authenticate it.</p> <p>25 MR. LEWIS: Just so I know, is</p>	<p style="text-align: right;">52</p> <p>1 MR. BAZZI: Two minutes and</p> <p>2 thirty-five seconds.</p> <p>3 (Whereupon the video is being</p> <p>4 played at this time)</p> <p>5 MR. HALL: Stop there.</p> <p>6 BY MR. HALL, CONTINUING:</p> <p>7 Q Corporal, do you recognize anything depicted in the</p> <p>8 video?</p> <p>9 A Yes.</p> <p>10 Q Okay. And do you quarrel with the fact that it</p> <p>11 appears to have been a date of February 5 of 2017?</p> <p>12 A Yes, I agree.</p> <p>13 Q I don't know if that time is near accurate, but I</p> <p>14 will just ask you. This looks like, I don't know.</p> <p>15 It's like a combination of Military and something</p> <p>16 else. Was it 2:42 to -- see, I don't understand</p> <p>17 the twenty-five on it.</p> <p>18 A I believe it's 2:42 and twenty-five seconds.</p> <p>19 (Whereupon the video is being</p> <p>20 played at this time)</p> <p>21 BY MR. HALL, CONTINUING:</p> <p>22 Q Who is speaking?</p> <p>23 A Myself and Sergeant Garrison.</p> <p>24 Q What words do you recall you saying? Or I can play</p> <p>25 it again and you can tell me which one is your voice.</p>
<p style="text-align: right;">51</p> <p>1 this on YouTube or --</p> <p>2 MR. BAZZI: This is on YouTube.</p> <p>3 MR. LEWIS: This is on YouTube.</p> <p>4 MR. LEWIS: Okay.</p> <p>5 MR. BAZZI: Now I recorded it off</p> <p>6 of YouTube, so we are not streaming this.</p> <p>7 MR. LEWIS: Okay.</p> <p>8 MR. BAZZI: I recorded it off of</p> <p>9 YouTube. So this is now an MP4 copy.</p> <p>10 BY MR. HALL, CONTINUING:</p> <p>11 Q Can you see it, because the glare, I have a little --</p> <p>12 A I am good. Thank you.</p> <p>13 (Whereupon Exhibit Number Two was</p> <p>14 marked for identification)</p> <p>15 (Whereupon the video is being</p> <p>16 played at this time)</p> <p>17 MR. HALL: Stop, Mr. Bazzi. I</p> <p>18 thought it was audible. It's not?</p> <p>19 MR. BAZZI: It is.</p> <p>20 (Whereupon the video is being</p> <p>21 played at this time)</p> <p>22 MR. HALL: Okay. Hold on.</p> <p>23 Reduce it. Let's go back.</p> <p>24 MR. LEWIS: How long is this? I</p> <p>25 have no idea how long this is.</p>	<p style="text-align: right;">53</p> <p>1 A Pu it on the ground.</p> <p>2 Q So that was your voice? That's right, I remember me</p> <p>3 asking that.</p> <p>4 A We are both saying that.</p> <p>5 Q Okay. So I am trying to distinguish what was your</p> <p>6 voice and then your Sergeant's voice.</p> <p>7 A Sergeant's got a deeper voice. I have a more</p> <p>8 feminine sounding voice, I guess.</p> <p>9 MR. HALL: Let's go.</p> <p>10 (Whereupon a video was being</p> <p>11 played at this time)</p> <p>12 BY MR. HALL, CONTINUING:</p> <p>13 Q Well who said I would shoot you?</p> <p>14 A That was me.</p> <p>15 Q Okay.</p> <p>16 (Whereupon the video is being</p> <p>17 played at this time)</p> <p>18 BY MR. HALL, CONTINUING:</p> <p>19 Q That's you speaking?</p> <p>20 A Yes. Sorry about the language.</p> <p>21 (Whereupon the video continued</p> <p>22 playing)</p> <p>23 BY MR. HALL, CONTINUING:</p> <p>24 Q That looked like it was another Officer that walked</p> <p>25 back up into the desk area where the glass was.</p>

<p style="text-align: right;">54</p> <p>1 MR. HALL: Go back just a second 2 or two, Sam. 3 (Whereupon the video is being 4 played at this time) 5 BY MR. HALL, CONTINUING: 6 Q Who is that? 7 A I can't tell. 8 Q Okay. 9 (Whereupon the video is being 10 played at this time) 11 THE WITNESS: I can't -- there 12 is a glare. 13 MR. HALL: Yes. 14 (Whereupon the video is being 15 played at this time) 16 MR. LEWIS: Is that the end? 17 MR. BAZZI: That's the end. 18 There are some captions that come up from the 19 individual who posted the video, but they are 20 irrelevant to us. So was this posted by the 21 individual, one of these guys, obviously? 22 MR. BAZZI: I'm not certain. The 23 name doesn't -- on the page, it doesn't indicate who 24 they are. 25 MR. HALL: Okay.</p>	<p style="text-align: right;">56</p> <p>1 MR. LEWIS: Just so I'm clear is 2 Exhibit Two the video? 3 MR. HALL: The video. 4 MR. LEWIS: Somehow that's going 5 to be part of this record? 6 MR. HALL: Yes. 7 MR. LEWIS: How is it going to be 8 part of the record, just for my own edification? 9 MR. HALL: Since we looked at it, 10 and was making reference to it, I -- 11 MR. LEWIS: I understand, but how 12 do we make it part of the record, mechanically? 13 MR. HALL: Okay. I follow you. 14 MR. LEWIS: A thumb drive or 15 something? How do you produce a copy of -- 16 MR. HALL: Yes, right. I have 17 got to give you a copy and -- 18 MR. LEWIS: however we are going 19 to do it, I'm sure we will be able to figure it out. 20 I just want the record to be clear, Exhibit Two is 21 the video we just watched, two minutes and forty- 22 seven seconds. 23 MR. HALL: And that's what I'm 24 going to tender to you tomorrow. 25 MR. LEWIS: It's okay.</p>
<p style="text-align: right;">55</p> <p>1 BY MR. HALL, CONTINUING: 2 Q So during that particular event on February 5 of 3 2017, there was several policies that were in play at 4 that point in time, one, the de-escalation and use of 5 force, is that correct? 6 A Yes. 7 Q Now let me ask you this. Now earlier we were talking 8 about or I made a comment and might have asked you a 9 question about what you've heard about individuals 10 who might have confrontations with the Police and 11 they are trying to commit suicide, remember we were 12 talking about that briefly? 13 A Yes. 14 Q Okay. In terms of when these individuals were 15 walking into the station, did you give some 16 consideration as to whether or not they had a mental 17 illness? 18 A No. 19 Q Okay. Also, you determined that you were going to 20 utilize techniques for de-escalation, is that 21 correct? 22 A Yes. 23 Q And obviously it was fruitful after this particular 24 incident; is that correct? 25 A Yes.</p>	<p style="text-align: right;">57</p> <p>1 MR. HALL: But the time frame is 2 good, because remember it was some other stuff on it, 3 and we said we weren't utilizing other people's 4 comments and stuff like that. 5 MR. LEWIS: Right. I think the 6 full video is two forty-seven. 7 MR. BAZZI: Correct. 8 MR. LEWIS: I think the 9 commentary, the graphic commentary comes up at 2:30 10 or 2:35 -- 11 MR. BAZZI: After 2:35. 12 MR. LEWIS: Fine. Fine. 13 MR. HALL: Okay. And will you 14 stipulate and agree that the Judge doesn't see that 15 for even what it would be worth, but we are not going 16 to show the Judge the commentary of other -- 17 MR. LEWIS: Correct. I mean, 18 just so the record is clear, I think the whole video 19 is irrelevant, but -- 20 MR. HALL: Yes, that's okay. 21 That's okay. I mean I am saying I'm not arguing -- 22 MR. LEWIS: I got you. 23 (Whereupon Exhibit Number Three 24 was marked for identification by the Court Reporter) 25</p>

<p style="text-align: right;">58</p> <p>1 BY MR. HALL, CONTINUING:</p> <p>2 Q I am going to show you what's been marked as</p> <p>3 Deposition Exhibit Number Three. First I would ask</p> <p>4 you to look on the front page and see if you are</p> <p>5 familiar with that policy.</p> <p>6 A Yes.</p> <p>7 Q And what is that?</p> <p>8 A It's the use of force, general order.</p> <p>9 Q Policy, is that correct?</p> <p>10 A Yes.</p> <p>11 Q Oh, you said general order, okay, that's fine. I am</p> <p>12 going to direct your attention to page five. That</p> <p>13 de-escalation. So this is making reference to the</p> <p>14 portion of the policy or the general order --</p> <p>15 A Yes.</p> <p>16 Q -- for de-escalation? Also, I think I should have</p> <p>17 indicated that Exhibit Three has the date of March 15</p> <p>18 of 2022. That's prior to the incident in question,</p> <p>19 is that correct?</p> <p>20 A Yes.</p> <p>21 Q And it was subsequent to the incident that we just</p> <p>22 had in Exhibit Three, which was the video that we</p> <p>23 just saw.</p> <p>24 MR. LEWIS: Exhibit Two.</p> <p>25 MR. HALL: No, the video was --</p>	<p style="text-align: right;">60</p> <p>1 A I don't know.</p> <p>2 Q Okay. Well, let me ask you this. In terms of your</p> <p>3 conduct on that date, in February of 2017, did</p> <p>4 anybody use the venue of that or the Department had a</p> <p>5 video of it, by camera. Did they use that for any</p> <p>6 training purposes --</p> <p>7 A I don't know.</p> <p>8 Q -- for other members of the Department?</p> <p>9 A I'm sorry. I don't know.</p> <p>10 Q Have you ever had to speak to other members of the</p> <p>11 Department, new Officers, senior Officers about your</p> <p>12 decision making on that particular date?</p> <p>13 A No.</p> <p>14 Q Okay. So you do agree that this was the de-</p> <p>15 escalation policy that was in place on the date in</p> <p>16 question, in our Complaint?</p> <p>17 A Yes.</p> <p>18 Q Okay. Now you indicated that you didn't give</p> <p>19 consideration to mental illness at the time that you</p> <p>20 were confronted by these gentleman on February of</p> <p>21 2017; is that correct?</p> <p>22 A Yes.</p> <p>23 Q But you do recognized in the policy, and I am looking</p> <p>24 at the second paragraph, it looks like the last</p> <p>25 sentence on page five, it indicates that a subject</p>
<p style="text-align: right;">59</p> <p>1 Two, okay. Two, I'm sorry. Exhibit Two.</p> <p>2 BY MR. HALL, CONTINUING:</p> <p>3 Q Let me ask you this. After the incident that</p> <p>4 occurred at the station in February 5 of 2017, you</p> <p>5 indicated that you received an accommodation for your</p> <p>6 conduct on that particular afternoon; is that</p> <p>7 correct?</p> <p>8 A Yes.</p> <p>9 Q Was there any additional training given out to other</p> <p>10 Officers as well as yourself after that particular</p> <p>11 incident?</p> <p>12 A No, not that I remember.</p> <p>13 Q Was there any criticisms of you and your conduct on</p> <p>14 that particular day by your Supervisor or any other</p> <p>15 supervising Officers?</p> <p>16 A No.</p> <p>17 Q Okay. And you indicated that on that incident, at</p> <p>18 the time of that incident, I'm sorry, on February 5</p> <p>19 of 2017, that there was a de-escalation policy and a</p> <p>20 use of force policy in force by the Department at</p> <p>21 that time; is that correct?</p> <p>22 A Yes.</p> <p>23 Q And you don't know if it was significantly and</p> <p>24 materially different from the one that we had with</p> <p>25 the date of March 15 of 2022?</p>	<p style="text-align: right;">61</p> <p>1 may not be capable of understanding a situation</p> <p>2 because of a medical condition, mental, physical, or</p> <p>3 hearing impairment. Go over to the next page.</p> <p>4 A Okay.</p> <p>5 Q That's part of the policy. But you said on the date</p> <p>6 in February of 2017, you didn't consider any of that?</p> <p>7 A No.</p> <p>8 Q Okay. Now I am going to direct your attention, if</p> <p>9 you would, please to page thirteen. Authorization</p> <p>10 for deadly force, and it makes reference to deadly</p> <p>11 force being utilized under the following</p> <p>12 circumstances, and it indicates imminent threat of</p> <p>13 death or serious bodily harm to the Officers, is that</p> <p>14 correct?</p> <p>15 A Yes.</p> <p>16 Q It also says, when feasible, Officers shall identify</p> <p>17 themselves and give verbal warnings prior to</p> <p>18 discharging a firearm, as an application of deadly</p> <p>19 force; is that correct?</p> <p>20 A When feasible, yes.</p> <p>21 Q And also paragraph two talks about a violent felony</p> <p>22 crime or an individual that is trying to escape, is</p> <p>23 that correct, like the incident that you had in 2015,</p> <p>24 when you didn't shoot the guy, you chased him down?</p> <p>25 MR. LEWIS: I'd object to the</p>

<p style="text-align: right;">62</p> <p>1 form. I think there is four questions in one there. 2 MR. HALL: It is. It's compound. 3 THE WITNESS: Can you repeat 4 that? 5 MR. HALL: Yes. 6 BY MR. HALL, CONTINUING: 7 Q You made reference to in 2015, I think it was in 8 2015, that you chased an individual that had a 9 weapon; is that correct? 10 A Yes. 11 Q And that was a situation where that person was trying 12 to escape from having committed a violent crime; is 13 that true? 14 A Yes. 15 Q And you chose not to shoot him? 16 A Yes. 17 Q Why didn't you shoot the guy in 2015? 18 A He never pulled his gun out, and point it at me and 19 pull the trigger and try to shoot and kill me -- 20 Q Okay. 21 A -- or anybody else. 22 Q Okay. Well, the information that you had was that he 23 was holding his Grandparent's hostage with a firearm, 24 is that correct? 25 MR. LEWIS: Cyril, I have got to</p>	<p style="text-align: right;">64</p> <p>1 (Whereupon the video is being 2 played at this time) 3 MR. HALL: Hold on a second, Sam. 4 BY MR. HALL, CONTINUING: 5 Q For the record, do you recognize this particular 6 incident? 7 A Yes. 8 Q And what was the date? 9 A December 18 of 2022. 10 Q 2022? 11 A Yes. 12 (Whereupon the video is being 13 played at this time) 14 BY MR. HALL, CONTINUING: 15 Q Now it looks like you opened the glass and discharged 16 your firearm? 17 A Yes. 18 Q And how many times did you discharge the firearm? 19 MR. LEWIS: If you know. 20 THE WITNESS: I don't know. I 21 guess we could count them. 22 BY MR. HALL, CONTINUING: 23 Q Well, could it have been seventeen times? 24 A I don't know. 25 Q Okay. I accept that. But I am just saying. The</p>
<p style="text-align: right;">63</p> <p>1 object to relevance. 2 MR. HALL: Okay. 3 BY MR. HALL, CONTINUING: 4 Q And you indicated earlier that that could have been a 5 violent felony; is that true? 6 A Yes. 7 MR. HALL: Let's go to the other 8 video. 9 MR. BAZZI: So this is the video 10 that we retrieved from the YouTube page with the City 11 of Dearborn. This was posted by the City. 12 THE WITNESS: Is this from Chief 13 Shahin? 14 MR. LEWIS: This is what was 15 released to the public. 16 THE WITNESS: Okay. I'm sorry. 17 MR. HALL: And we are going to 18 move to mark it. 19 (Whereupon Exhibit Number Four 20 was marked for identification) 21 MR. LEWIS: Just for the record, 22 this is a twenty-six second video, is that right? 23 MR. BAZZI: Correct. 24 MR. LEWIS: My eyes are going 25 bad.</p>	<p style="text-align: right;">65</p> <p>1 reason I asked you that is because I believe, and I 2 could be in error. I believe the Chief made 3 reference to the fact that it was discharged 4 seventeen times in the span of four seconds. 5 A Okay. 6 Q But in any event, you have training with respect to 7 firearms, you are a Firearm Instructor; is that 8 correct? 9 A Yes. 10 Q Now with respect to that particular firearm, what 11 type was it? 12 A I believe it was a Glock 17. 13 Q Okay. 14 MR. LEWIS: That he was using? 15 MR. HALL: Yes. 16 BY MR. HALL, CONTINUING: 17 Q A Glock 17. So with respect to a Glock 17, during 18 your training and experience with how to use a 19 firearm and about firearms, were there ever any 20 lectures or discussions about how many pounds, square 21 inch of pressure that you have to use to cause the 22 weapon to discharge? 23 A I don't recall that. 24 Q Okay. Because they don't automatically discharge? 25 A I understand.</p>

<p style="text-align: right;">66</p> <p>1 Q I'm sorry.</p> <p>2 A I understand.</p> <p>3 Q And that's a semi-automatic weapon, is that correct?</p> <p>4 A Yes.</p> <p>5 Q And in order to discharge that particular weapon, you</p> <p>6 have to keep applying pressure to the trigger, is</p> <p>7 that correct?</p> <p>8 A Yes</p> <p>9 Q And each time you want to discharge it, you have to</p> <p>10 apply a certain amount of pressure, and you don't</p> <p>11 remember the training about the PSI?</p> <p>12 A No, sir.</p> <p>13 Q Okay. So in any event, every time you shot off a</p> <p>14 projectile, you had to pull the trigger?</p> <p>15 A Yes.</p> <p>16 Q Okay. After you discharged the firearm, the first</p> <p>17 time, did you have occasion to see whether or not the</p> <p>18 person fell?</p> <p>19 A The person fell?</p> <p>20 Q Yes.</p> <p>21 A The first time I shot?</p> <p>22 Q Yes.</p> <p>23 A I don't recall.</p> <p>24 Q Okay.</p> <p>25 A I don't remember that.</p>	<p style="text-align: right;">68</p> <p>1 didn't know who he was at that time, the individual</p> <p>2 at that point, is that correct?</p> <p>3 A I needed to stop that threat.</p> <p>4 Q And so when you opened the glass, you trained on the</p> <p>5 person, you made a conscious decision that you were</p> <p>6 going to shoot him?</p> <p>7 A Yes.</p> <p>8 Q And during the period of time that you determined</p> <p>9 that you were going to shoot him, you were not trying</p> <p>10 to wound him or anything of that sort -- strike</p> <p>11 that.</p> <p>12 You were not trying to</p> <p>13 distinguish between a non-fatal shooting versus a</p> <p>14 fatal shooting; is that correct?</p> <p>15 MR. LEWIS: I'd object to form.</p> <p>16 If you know, you can answer.</p> <p>17 BY MR. HALL, CONTINUING:</p> <p>18 Q I see you are having some difficulty with my</p> <p>19 phraseology Corporal, so let me rephrase it.</p> <p>20 A Okay.</p> <p>21 Q Okay. When you decided that you were going to shoot,</p> <p>22 and I know that you don't control if death is going</p> <p>23 to occur, but in any event when you determined that</p> <p>24 you were going to discharge the weapon, you intended</p> <p>25 to strike, is that correct?</p>
<p style="text-align: right;">67</p> <p>1 Q In terms of your observations, do you have any</p> <p>2 recollection as to how many shots you had fired</p> <p>3 before Mr. Naji had fallen to the ground or the</p> <p>4 floor?</p> <p>5 A I don't know.</p> <p>6 Q And it is fair to say that when you were discharging</p> <p>7 the firearm, you were continuously looking at the</p> <p>8 target though, is that correct?</p> <p>9 A Yes.</p> <p>10 Q And you were concerned about the fact that if you are</p> <p>11 discharging the weapon in the Police Station, you</p> <p>12 certainly didn't want to discharge it and it go</p> <p>13 through the door and window and hit somebody outsider</p> <p>14 of the building; is that true?</p> <p>15 A That is true.</p> <p>16 Q So it is clear that at the time you discharged the</p> <p>17 firearm, it appears from the video that you train the</p> <p>18 weapon and in my vernacular, that means pointed it at</p> <p>19 the person, Mr. Naji in this particular case, and</p> <p>20 then you discharged; is that correct?</p> <p>21 A That is correct.</p> <p>22 Q Okay. Why did you make a decision that you were</p> <p>23 going to open the glass to do that?</p> <p>24 A Because the glass, I didn't want any obstruction.</p> <p>25 Q Okay. So you wanted a clear shot at the -- you</p>	<p style="text-align: right;">69</p> <p>1 A Yes.</p> <p>2 Q Now, after you did that, after about five or six</p> <p>3 times of having pulled the trigger, did you look to</p> <p>4 see what the person was doing at the time, after the</p> <p>5 fifth time you had discharged the weapon?</p> <p>6 A I don't know how many times I discharged the weapon</p> <p>7 at that point in time.</p> <p>8 Q With respect to your weapon, is it your training and</p> <p>9 experience to have it fully loaded?</p> <p>10 A Yes.</p> <p>11 Q And with respect to your weapon, how many bullets</p> <p>12 does the --</p> <p>13 A Magazine?</p> <p>14 Q -- magazine, yes. How many bullets does the</p> <p>15 magazine hold?</p> <p>16 A Seventeen.</p> <p>17 Q Okay. Ultimately you give the weapon to someone else</p> <p>18 after -- during the course of the investigation, you</p> <p>19 had to give it to another Officer; is that correct,</p> <p>20 the Supervisor?</p> <p>21 A Yes.</p> <p>22 Q And that Officer would have checked the magazine and</p> <p>23 made a determination as to how many rounds had been</p> <p>24 filed, is that correct?</p> <p>25 A At that point, I don't know.</p>

<p style="text-align: right;">70</p> <p>1 Q But at some point there was an investigation; is that 2 correct? 3 A Yes. 4 Q And so in terms of the chain of custody, you gave the 5 weapon to who? 6 A I believe it was Sergeant Leveea (ph). 7 Q Okay. And you were through with that weapon for 8 that period of time then; is that correct? 9 A Yes. 10 Q Now let me go back and ask you, do you have any 11 recollection at all as to observing, and I may have 12 asked you this, and I don't mean to trifle with it, 13 but do you have any recollection at all as to when 14 Mr. Naji fell, during the course of the discharge of 15 the weapon? 16 A I don't know. 17 Q Okay. Now with respect to -- you didn't know what 18 type of weapon Mr. Naji had, did you? 19 A No. 20 Q And let me ask you this. In terms of when he came 21 into the station, and it's interesting like the last 22 time you made reference, and this is compound, 23 Counsel, it's interesting that the last time a 24 Sergeant saw a person come into the station with a 25 weapon or coming in with a weapon, did you make the</p>	<p style="text-align: right;">72</p> <p>1 MR. HALL: It might. And if it's 2 better -- 3 MR. LEWIS: Don't write on it 4 unless Mr. Hall wants you to. 5 BY MR. HALL, CONTINUING: 6 Q No, you can write on it, and then you can put your 7 initials wherever you mark. 8 A I will just point it out. I will just point it out. 9 Q Go ahead. Well, I think you better mark it, because 10 somebody else might look at it. 11 MR. LEWIS: Go ahead. 12 MR. HALL: So mark it. 13 THE WITNESS: Okay. 14 MR. HALL: There's two halves of 15 the screen here. What are we marking? 16 MR. HALL: We are looking on the 17 right half of the screen. 18 MR. LEWIS: The right half? 19 MR. HALL: Yes. 20 THE WITNESS: Okay. So there is 21 a camera right here, I believe. I mean there's 22 cameras throughout the whole area, and I don't know 23 where they were set up. 24 BY MR. HALL, CONTINUING: 25 Q Just for the record, you made a small circle above</p>
<p style="text-align: right;">71</p> <p>1 visual observation of Mr. Naji coming in or did 2 somebody tell you that he was coming in? 3 A I saw him on a surveillance camera, come through the 4 lobby. 5 Q And what surveillance camera is that? 6 A I believe it was right in the lobby, the one we are 7 looking at right there. 8 Q No. Could you show me? 9 A We have a place called position one, and that's where 10 the Sergeant sits, okay? And we have TV's along 11 position one. Now each one of those TV's has 12 surveillance attached to it. 13 Q Hold on a second Corporal. 14 A Okay. 15 Q On the video right now, and I don't know what 16 section, I mean what time this is, but on the video 17 here, I see the desk, and I see the part where you 18 opened up. But in terms of the camera that you are 19 making reference to, where would it be located? 20 A It would be right inside. It looks like it's right 21 inside that glassed area. 22 MR. LEWIS: Maybe you could use 23 Exhibit One. 24 THE WITNESS: I'm sorry. 25 MR. LEWIS: If that helps.</p>	<p style="text-align: right;">73</p> <p>1 the T or the K/ 2 A Yes. You want me to initial that? 3 Q You can. 4 A Okay. You have a camera there, and I believe that 5 there's another camera just outside the glass area, 6 which allows me to see who's walking in through the 7 little foyer, okay, that little glass entrance area 8 when they first walk in. 9 Q Okay. 10 A Okay. That's, I believe that's the camera I was 11 looking at. 12 Q Where is that camera located? 13 A I believe it's right here, right in front of the 14 desk. 15 Q Okay. That's another mark by the Corporal just on the 16 East, well if we were doing the diagram of the 17 station, that's in the East direction -- no, West. 18 That's further West. But in any event, you think 19 that you were able to see him on that camera, Mr. 20 Naji, when he came in? 21 A I saw him on the camera, that's why I went up and 22 made contact with him. 23 Q So where were you when you made these observations? 24 A I was in the position one desk, the back desk is what 25 it's called. I was standing there at the back desk.</p>

74

1 Q Where is the back desk?
 2 **A Right here.**
 3 Q Okay. That's that desk that we talked about earlier,
 4 where the Sergeant was and he made the observations
 5 when the guys came in, when they came in, in 2017,
 6 February of 2017. So you were manning that station
 7 then; is that correct?
 8 **A No, I was back there talking to another Officer.**
 9 Q Okay. And during the time that you're talking to the
 10 other Officer, what did you observe or do?
 11 **A I saw this subject walk into the lobby.**
 12 Q How did you see the subject walk into the lobby from
 13 that location?
 14 **A There's TV's up here in this area, that are attached**
 15 **to these surveillance cameras.**
 16 Q And Corporal, why don't you mark or put your initials
 17 down here where you say you were located at the time
 18 Mr. Naji entered the station.
 19 **A I was right here.**
 20 Q Okay.
 21 **A Okay?**
 22 Q Okay. And so you happened to see him on video, and
 23 he comes in, and what do you see about it, when you
 24 first saw it on video?
 25 **A I first said to myself, well, there is a subject up**

75

1 **front, I'm going to go see if I can help them.**
 2 Q Okay. So at that point when you first saw him on
 3 video, are you saying you did not see what you
 4 believe to have been a firearm?
 5 **A No.**
 6 Q Okay. So what did you do?
 7 **A I walked up to the desk area, the front desk area,**
 8 **and I don't know if you can hear it on here, but I**
 9 **said what's going on, or how can I help, something**
 10 **along those lines.**
 11 **And that's when he produced a**
 12 **gun, pointed it at me and pulled the trigger, in an**
 13 **effort to kill me.**
 14 Q So he pointed it in your direction, is that correct?
 15 **A Yes.**
 16 Q And this is just some general Court stuff. I
 17 understand what you are saying, but you don't -- you
 18 couldn't read his mind at that point, you know what
 19 he did, but you couldn't read his mind, so you don't
 20 know if it was his intention to kill you, and we will
 21 never know that.
 22 MR. LEWIS: I'd object to the
 23 form.
 24 BY MR. HALL, CONTINUING:
 25 Q So you indicated that he intended to kill you. If we

76

1 were in a Courtroom, the objection would be
 2 sustained, because you can't testify to what's in his
 3 mind. You can testify to what he did.
 4 MR. LEWIS: Is that a question?
 5 MR. HALL: Well it's a little
 6 statement of the Law too, and I know you know it too.
 7 BY MR. HALL, CONTINUING:
 8 Q But In any event, the individual believe -- you
 9 believe pointed a weapon in your direction; is that
 10 correct?
 11 **A I saw him. The camera saw him.**
 12 Q Yes, I'm in agreement with you --
 13 **A Yes.**
 14 Q --with respect to that. So a weapon was pointed.
 15 Now with respect to that particular weapon, what type
 16 was it?
 17 **A What type?**
 18 Q Yes. Did you know what type it was when you saw it?
 19 **A I don't know.**
 20 Q Did you have knowledge as to whether or not it was a
 21 real weapon?
 22 **A Not at that -- from my experience, I believed it was**
 23 **a real weapon.**
 24 Q Right. You believed it was, because -- do you know
 25 how many fake weapons of that size and caliber are on

77

1 the market? And I know it was no reason for you to
 2 study it, but do you know? If you know, just state
 3 it on the record.
 4 **A No.**
 5 Q In any event, you said that you believed it was a
 6 weapon. Well, this wasn't a firearm that had a
 7 cylinder on it; is that correct?
 8 **A A cylinder?**
 9 Q Remember like the old forty-fives --
 10 **A Oh, a revolver?**
 11 Q Revolver, yes. And the cylinder goes around where
 12 you can look and you can see the projectile in the
 13 different area.
 14 **A I know what you are asking.**
 15 Q Right. You didn't see any projectiles or bullets
 16 contained within this weapon, did you?
 17 **A No.**
 18 Q Okay. And in terms of what you saw, what was the
 19 coloration that you observed?
 20 **A Silver.**
 21 Q So a silver weapon is pointed in h your direction,
 22 then the individual did what with it, that you
 23 observed?
 24 **A That I observed/**
 25 Q Yes.

<p style="text-align: right;">78</p> <p>1 A He pulled the magazine out from the magazine well. He 2 re-inserted said magazine, and he was in the process 3 of placing a round into the chamber. By doing so you 4 take the slide, the top part of the semi-automatic 5 side arm, pull the slide back, and that loads a round 6 into the chamber. 7 Q Right. That's the methodology to doing it? 8 A Yes. 9 Q Okay. But you don't know whether or not, and I 10 understand what you are under, but you don't know 11 whether or not, and I understand what you are under, 12 but you don't know whether or not there was a 13 projectile that was going to load or a bullet that 14 was going to load in there, you don't know that. 15 But I understand that you are 16 operating based on what you see; is that correct? 17 MR. LEWIS: I'd object to the 18 form. 19 BY MR. HALL, CONTINUING: 20 Q You are operating based on what you see in your 21 training and experience; is that correct? 22 A Yes. 23 Q So before you saw him make an effort to cock this 24 particular weapon, did you see whether or not he 25 tried to discharge or point it at -- like he is</p>	<p style="text-align: right;">80</p> <p>1 when he tried to rack it, subsequent to having 2 pointed it in your direction, is that correct? 3 A Yes. 4 Q Okay. So in terms of when the weapon didn't 5 discharge, after it was pointed at you, let's say it 6 was pointed at you. After it was pointed at you and 7 it didn't discharge, did you make any statements to 8 him to drop it? 9 A No. 10 Q Did you tell him or try to do anything to deescalate 11 the circumstances? 12 A No. 13 Q So then you make an observation that he makes an 14 effort to rack the weapon, and then is that when you 15 open the glass? 16 A I believe so. 17 Q Okay. Let's play it. 18 (Whereupon the video is being 19 played at this time) 20 BY MR. HALL, CONTINUING: 21 Q Based on what you just observed, does that appear 22 that you had completely discharged all of the rounds 23 in your weapon? 24 A No. 25 Q Okay. You couldn't tell from that?</p>
<p style="text-align: right;">79</p> <p>1 flinging the discharge or what did you see before you 2 made the observation of trying to rack it? 3 MR. LEWIS: I'm sorry, Cyril, I 4 can't follow it. I apologize. 5 BY MR. HALL, CONTINUING: 6 Q What did you see before -- 7 MR. HALL: Let's play it. Let me 8 show you right quick. 9 (Whereupon the video is being 10 played at this time) 11 Mr. hall: Okay. Stop. 12 BY MR. HALL, CONTINUING: 13 Q When the gun was pointed out, did you see where Mr. 14 Naji pointed the gun straight out? 15 A He pointed it at me. 16 Q Okay. But it was straight? We are not disputing it. 17 His arm went out straight? 18 A Yes. 19 Q Okay. Now when you made that observation, did it 20 appear to you that he tried to discharge the weapon 21 or not? 22 A Yes. 23 Q Okay. The weapon did not discharge, did it? 24 A No. 25 Q And then after the weapon did not discharge, that is</p>	<p style="text-align: right;">81</p> <p>1 A I didn't. 2 Q Okay. You didn't what? 3 A I didn't discharge all of my rounds. 4 Q Okay. Well you said you didn't know how many rounds 5 you did discharge. 6 A If I discharged all of my rounds, my slide would have 7 stayed back. Obviously from the video right there, 8 the slide was still forward on my gun. 9 Q Okay. But you don't know how many. And did you ever 10 read a report back to make a determination as to how 11 many rounds you had discharged? 12 A I did read a report, yes. I had to. 13 Q Okay. So how many rounds were discharged? 14 A Seventeen. 15 Q And I though you indicated that your weapon holds 16 seventeen or did I misunderstand. 17 A There is one in the chamber. 18 Q There's one in the chamber? 19 A Yes. 20 (Whereupon the video is being 21 played at this time) 22 BY MR. HALL, CONTINUING: 23 Q Before you discharge a weapon, you do not give any 24 verbal commands? 25 A No.</p>

<p style="text-align: right;">82</p> <p>1 Q Now I heard some chatter in the background or noise.</p> <p>2 I don't know if it was you or someone else that was</p> <p>3 saying weapon, weapon, is that you?</p> <p>4 A I didn't say weapon.</p> <p>5 Q Let's play it. I thought I heard somebody say it. I</p> <p>6 could be in error.</p> <p>7 A I shouted gun.</p> <p>8 Q That's, I'm sorry, that's what I'm talking about,</p> <p>9 gun. That was you then speaking?</p> <p>10 A Yes.</p> <p>11 Q Okay. And when you said gun, you said that about</p> <p>12 three times?</p> <p>13 A I don't know.</p> <p>14 Q Yes.</p> <p>15 A Several times.</p> <p>16 Q When you were saying that, was there somebody behind</p> <p>17 you that you were speaking to or what was the purpose</p> <p>18 of that?</p> <p>19 A Yes.</p> <p>20 Q What were you doing?</p> <p>21 A He was sitting back here, and I advised him, through</p> <p>22 saying gun --</p> <p>23 Q And for the record you pointed to the --</p> <p>24 A Sergeant's area. The position --</p> <p>25 Q Okay.</p>	<p style="text-align: right;">84</p> <p>1 that. I'm sorry.</p> <p>2 MR. LEWIS: Just start it over</p> <p>3 from the beginning.</p> <p>4 MR. HALL: I could see the video.</p> <p>5 Did you hear that? Okay. Stop, Sam.</p> <p>6 BY MR. HALL, CONTINUING:</p> <p>7 Q So, is that you or someone else speaking or is that</p> <p>8 the TV people?</p> <p>9 A I don't know.</p> <p>10 Q Okay.</p> <p>11 A I don't know.</p> <p>12 Q You weren't engaged in that kind of discussion that I</p> <p>13 could see it on the video or the camera?</p> <p>14 A No.</p> <p>15 Q Okay.</p> <p>16 (Whereupon the video is being</p> <p>17 played at this time)</p> <p>18 MR. HALL: Okay. Sam, I want to</p> <p>19 So know -- let's go back to when the arm is pointed</p> <p>20 straight out.</p> <p>21 (Whereupon the video is being</p> <p>22 played at this time)</p> <p>23 MR. HALL: Stop. Okay. How many</p> <p>24 seconds are we at, at that point?</p> <p>25 MR. BAZZI: Eleven seconds.</p>
<p style="text-align: right;">83</p> <p>1 A -- yes.</p> <p>2 MR. LEWIS: Are we playing this</p> <p>3 again?</p> <p>4 MR. HALL: Yes, one more time,</p> <p>5 please.</p> <p>6 (Whereupon the video is being</p> <p>7 played at this time)</p> <p>8 MR. HALL: Stop it for one</p> <p>9 second.</p> <p>10 BY MR. HALL, CONTINUING:</p> <p>11 Q Hey now see this is where I don't know if this is TV</p> <p>12 or if this was from your station or what, because it</p> <p>13 says, I could see on the TV.</p> <p>14 MR. LEWIS: See what on the TV?</p> <p>15 MR. HALL: There was noise that</p> <p>16 said I can see this on the TV. So I didn't know, see</p> <p>17 this is what happens when we take it from TV or</p> <p>18 wherever it comes from as opposed to taking it from</p> <p>19 the station, because I was wondering who was making</p> <p>20 that statement.</p> <p>21 I could see it on TV. Play it.</p> <p>22 Go back and play it. Just listen to it.</p> <p>23 (Whereupon the video is being</p> <p>24 played at this time)</p> <p>25 MR. HALL: No, it was before</p>	<p style="text-align: right;">85</p> <p>1 MR. HALL: Okay. We are at</p> <p>2 eleven seconds. And then I want you to stop it when</p> <p>3 he tries to cock the weapon.</p> <p>4 (Whereupon the video is being</p> <p>5 played at this time)</p> <p>6 MR. LEWIS: I'm not sure that I</p> <p>7 know what that means when he tries to cock the</p> <p>8 weapon.</p> <p>9 MR. HALL: Okay.</p> <p>10 BY MR. HALL, CONTINUING:</p> <p>11 Q You know what I'm talking about, Corporal, when I say</p> <p>12 trying to cock it. That's when you gave us a</p> <p>13 description of when you are pulling back and try to</p> <p>14 cause the bullet to go into the chamber?</p> <p>15 A That's a --</p> <p>16 MR. LEWIS: That's a process.</p> <p>17 THE WITNESS: Yes, he was in the</p> <p>18 process, yes.</p> <p>19 BY MR. HALL, CONTINUING:</p> <p>20 Q So again, what I am trying to say is that, after the</p> <p>21 weapon didn't discharge, you didn't say anything to</p> <p>22 him; is that correct?</p> <p>23 A No.</p> <p>24 Q And then you indicated that you opened the window and</p> <p>25 you discharged your weapon seventeen times?</p>

86

1 **A Yes.**
 2 Q Okay. Now earlier when we were talking, I asked you
 3 whether or not you had any knowledge that the glass
 4 could be penetrated by a projectile, and you said you
 5 didn't have any data that that could occur, is that
 6 correct?
 7 **A That's correct.**
 8 Q And in addition to that, there is no one else in the
 9 lobby at the time that he walks in, is that true?
 10 **A That is true.**
 11 Q Okay. And Mr. Naji doesn't say anything when he's in
 12 the station or did you hear him say anything?
 13 **A Nothing.**
 14 Q Okay. Now did you give some consideration that he
 15 could have been suffering from a mental illness at
 16 that point in time?
 17 **A Absolutely not.**
 18 Q Okay. Had you ever seen him before?
 19 **A I don't believe so. And with the mask, I wouldn't**
 20 **have known anyway.**
 21 MR. HALL: Let's take five
 22 minutes.
 23 (Whereupon a brief recess was
 24 taken at or about 2:59 p.m.)
 25 BY MR. HALL, CONTINUING:

87

1 Q Corporal, does your Department use any Administrative
 2 incident reports or do you have to fill out something
 3 when you use force?
 4 **A We do.**
 5 Q And what is that called? What is the form called or
 6 what is the document called?
 7 **A It's called Use of Force Form.**
 8 Q And did you have to fill out a use of force form for
 9 this incident?
 10 **A I did not.**
 11 Q Okay. Was there any reason why you did not have to?
 12 **A I don't know.**
 13 Q Did you try to fill one out then your Sergeant or
 14 supervising Officer didn't take it or what happened?
 15 **A I don't remember. I didn't even ask.**
 16 Q Okay. But based on your training and experience you
 17 knew that you should fill out a Use of Force Form; is
 18 that correct?
 19 **A At that point I may have forgot.**
 20 Q Let me ask you this. In terms of when there was an
 21 investigation in this particular matter, were you
 22 interviewed --
 23 **A Yes.**
 24 Q -- at all about your decision making and the use of
 25 force?

88

1 **A Yes.**
 2 Q And who interviewed you, if you recall?
 3 **A I believe it was Sergeant Harless.**
 4 Q When you were interviewed, well did you have a Union
 5 person present?
 6 **A Yes.**
 7 Q So this was a Garrity Interview?
 8 **A Yes.**
 9 Q Okay. When you were in the desk area, you didn't
 10 chose to walk out from back there to engage in de-
 11 escalation --
 12 **A No.**
 13 Q With the subject?
 14 **A No.**
 15 Q And during the five to seven seconds when you
 16 observed the weapon and you discharged, you chose not
 17 to engage him in any de-escalation whatsoever?
 18 **A I had not time.**
 19 Q There was an investigation of your conduct,
 20 interdepartmental investigation; there was an
 21 investigation departmentally; is that correct, within
 22 the Department.
 23 **A For this?**
 24 Q Yes.
 25 **A Yes.**

89

1 Q Okay. Because in your policy, what Mr. Bazzi was
 2 showing me, which you kind of touched it, there is,
 3 once you utilize the Use of Force Form, that triggers
 4 in most circumstances, an investigation, but in this
 5 case you are saying that there was an investigation?
 6 **A There was, yes.**
 7 Q And you were questioned. And you were questioned,
 8 you had a Union guy, it was a Garrity Statement given
 9 and all of that?
 10 **A Yes.**
 11 Q Okay. And you indicated you didn't know what type of
 12 weapon that was when you saw it; is that correct?
 13 **A It was a gun.**
 14 Q I understand. But make, model?
 15 **A No.**
 16 Q Okay. Real or unreal?
 17 **A It looked real to me.**
 18 Q I have no other questions.
 19 MR. LEWIS: I have a couple, just
 20 a couple.
 21 CROSS-EXAMINATION
 22 BY MR. LEWIS:
 23 Q Corporal Clive, do you know what day of the week
 24 December 18, 2022 was?
 25 **A It was a Sunday.**

<p style="text-align: right;">90</p> <p>1 Q You were working the dayshift that day?</p> <p>2 A Yes.</p> <p>3 Q What was going on at the Police station on December</p> <p>4 18, 2022?</p> <p>5 A We had Good Fellows. I believe it was called No</p> <p>6 Children Without a Christmas or something along those</p> <p>7 lines, where several families were coming into the</p> <p>8 lobby to receive gifts that I was handing out to the</p> <p>9 families. There were Mothers, Fathers, children</p> <p>10 there.</p> <p>11 We had Toys for Tots also in the</p> <p>12 lobby that day. The same thing, Women, Children,</p> <p>13 good citizens bringing gifts, putting them on the</p> <p>14 table in the lobby. We had custody exchanges, which</p> <p>15 take place in our lobby, just for safety measures.</p> <p>16 Obviously, children involved in that because they are</p> <p>17 custody exchanges.</p> <p>18 That coupled with handling</p> <p>19 reports from people, the general public, okay, you</p> <p>20 know, accident reports, larceny reports, pretty much</p> <p>21 anything --</p> <p>22 Q Sure.</p> <p>23 A -- if they could come to the station and file said</p> <p>24 report, I take those reports. I answer the phones.</p> <p>25 Officers come in through those doors as well. They</p>	<p style="text-align: right;">92</p> <p>1 A All day long.</p> <p>2 Q Would you say it was even busy?</p> <p>3 A Very busy.</p> <p>4 MR. HALL: Counsel, you know you</p> <p>5 are leading.</p> <p>6 MR. LEWIS: I know.</p> <p>7 BY MR. LEWIS, CONTINUING:</p> <p>8 Q How many other Officers or Administrative personnel</p> <p>9 to your knowledge, approximately, were in the</p> <p>10 building, in addition to yourself? I realize you are</p> <p>11 just approximating.</p> <p>12 A I would venture to guess maybe ten, if not more.</p> <p>13 Q So in addition to yourself, that means eleven?</p> <p>14 A Yes.</p> <p>15 Q How many entrances are there into the front lobby of</p> <p>16 the Police Station?</p> <p>17 A Six.</p> <p>18 Q Can you identify those for us, please?</p> <p>19 A Okay. The door that I enter from the back desk into</p> <p>20 the lobby, there is one entrance. There is another</p> <p>21 entrance right next to that that goes back into a</p> <p>22 bathroom area Commander's Office. It's another</p> <p>23 entrance/exit, well entrance. You have an elevator</p> <p>24 right next to that. You have obviously the front</p> <p>25 doors, the lobby doors; you have the Records Bureau</p>
<p style="text-align: right;">91</p> <p>1 come into right reports. They use the bathroom,</p> <p>2 whatever they have to do. So throughout the day it</p> <p>3 was very, very busy.</p> <p>4 Q Okay. You indicated that there was a toy drive going</p> <p>5 on?</p> <p>6 A Yes, there was a toy drive going on. Not only this,</p> <p>7 but there was also a very large sneaker conviction</p> <p>8 next door at the Performing Arts Center, roughly a</p> <p>9 hundred to two hundred yards away from our</p> <p>10 Department, to the point where people were parking in</p> <p>11 the East, in our East lot.</p> <p>12 Q Okay. Was this busy for a Sunday?</p> <p>13 A It was one of the more busy Sunday's I ever worked.</p> <p>14 Q You had a lot of people from the public passing</p> <p>15 through?</p> <p>16 A Yes.</p> <p>17 Q Because perhaps because of the sneaker conviction,</p> <p>18 but also specifically coming into the building,</p> <p>19 because of the Good Fellows Drive, and the Toys for</p> <p>20 Tots Drive?</p> <p>21 A Yes.</p> <p>22 Q Was it steady throughout the day while you were on</p> <p>23 duty?</p> <p>24 A It was very steady all day long.</p> <p>25 Q Okay.</p>	<p style="text-align: right;">93</p> <p>1 doors, which is manned most of the time by citizens,</p> <p>2 and then you have the stairwell that goes up to the</p> <p>3 Detective Bureau, so six all together.</p> <p>4 Q Those are six separate entrances into the lobby?</p> <p>5 A Yes.</p> <p>6 Q Relative to the 2015 incident where you were pursuing</p> <p>7 the gentleman on Tireman, did he ever point a gun at</p> <p>8 you?</p> <p>9 A No.</p> <p>10 Q Did he ever take a gun out of his waistband?</p> <p>11 A Just to throw it.</p> <p>12 Q But never to point it at you?</p> <p>13 A Never to point it at me.</p> <p>14 Q Relative to the 2017 incident, which we've seen on</p> <p>15 video, marked as Exhibit Number Two, did any of these</p> <p>16 gentlemen in the lobby ever point a gun at you?</p> <p>17 A No.</p> <p>18 Q Did I hear you correctly when you saw Mr. Naji on the</p> <p>19 video cameras you went out to the front desk area,</p> <p>20 and did you say something to him?</p> <p>21 A I did.</p> <p>22 Q What did you say?</p> <p>23 A I said how is it going, or something along those</p> <p>24 lines.</p> <p>25 Q And then what happened?</p>

<p style="text-align: right;">94</p> <p>1 A He never answered. He just reached into his pocket, 2 produced a handgun, pointed it at me, pulled the 3 trigger; I heard a click. At that point, with his 4 actions, I thought he was going to kill me. That's 5 what I observed. 6 Q Did he point the gun directly at you? 7 A Yes. 8 Q And you saw him pull the trigger? 9 A Yes. 10 Q Did you hear the trigger click? 11 A Yes. 12 Q Obviously, the gun didn't fire, thank God. What did 13 he do then? 14 A I observed him trying to manipulate the gun. I don't 15 know whether he had a malfunction or what was wrong 16 with the gun, but he was trying to fix whatever was 17 wrong with it. 18 So I observed him pull the 19 magazine and reset the magazine, and at that point he 20 was in the process of pulling the slide back to get a 21 bullet in the chamber. 22 Q Did you believe that he would have fired at you, had 23 he completed that process? 24 A Yes. 25 MR. HALL: Just for the record,</p>	<p style="text-align: right;">96</p> <p>1 move around? 2 A Yes. 3 Q Did you see that with your own eyes? 4 A Yes. 5 Q Can you describe that for us? 6 A I remember him almost rearing up onto his right side, 7 almost like he was getting -- he was attempting to 8 lay on his right side. I never saw him drop the gun. 9 Q Okay. 10 A He was still able to -- he was still a threat, even 11 though he is on the ground. If he is rearing up onto 12 his right side, and he still has the gun on him, I 13 lead me to believe that he was still going to try to 14 shoot and kill me. 15 Q And as a result, you did what? 16 A I stopped the threat. 17 Q Did you continue to fire? 18 A I did. 19 Q Did you continue to fire until you thought the threat 20 was neutralized? 21 A Yes. 22 Q Thank you, Officer. I don't have any other 23 questions. 24 REDIRECT EXAMINATION 25 BY MR. HALL:</p>
<p style="text-align: right;">95</p> <p>1 speculation. 2 BY MR. LEWIS, CONTINUING: 3 Q In your opinion, was there any way to de-escalate 4 this encounter? 5 A No. 6 Q Why not? 7 A There was not time, and he was in the process of 8 fixing a malfunction to kill myself or to kill 9 anybody else that entered that lobby. 10 Q And theoretically, anyone could have entered into 11 that lobby at any moment? 12 A Yes. 13 Q Either from outside, is a member of the public coming 14 in, or one of your colleagues or member of the 15 Administrative staff, using those various other 16 entrances to come into the lobby? 17 A Yes. 18 Q Did you have any idea who this man was when you saw 19 him? 20 A No. 21 Q You indicated that he was wearing a mask? 22 A Yes. 23 Q He never said a word? 24 A Not a word. 25 Q When Mr. Naji fell to the ground, did he continue to</p>	<p style="text-align: right;">97</p> <p>1 Q Well in my Examination, I thought you indicated that 2 you didn't see him fall. 3 A I did see him fall. 4 Q You saw him fall? 5 A You asked when I saw him fall -- 6 Q Yes. 7 A -- at what point in time when I was shooting him -- 8 Q Yes. 9 A -- did I see him fall. 10 Q And you indicated you didn't know when; is that 11 correct? 12 A I didn't know when in the volley of bullets that I 13 saw him fell. 14 Q Okay. Now in terms of when you saw him going down on 15 the ground, is there a video of that? Because you 16 just testified that you thought that he was trying to 17 get up on one knee or whatever. Have you seen a 18 video of that or something? 19 A I did not say he was getting up on one knee. 20 Q Okay. Is there a video of what you are talking about 21 when you said, his mannerism when he had fallen? 22 A It's that video but unobscured. 23 Q Right. I don't have that. So you've had occasion 24 to see it? 25 A I had to, because I had to write my supplement of the</p>

<p style="text-align: right;">98</p> <p>1 report.</p> <p>2 Q Okay. Well that's what I'm saying --</p> <p>3 A Yes.</p> <p>4 Q -- there's something else that's out there. Okay.</p> <p>5 Now let me ask you this. In terms of when you were</p> <p>6 talking about the entranceways into the --</p> <p>7 MR. LEWIS: I'm sorry, Cyril,</p> <p>8 your point is an important one. I am not aware of</p> <p>9 anything else, video-wise. I'm aware of what's been</p> <p>10 released to the public. If there is other video,</p> <p>11 obviously that's something that we need to --</p> <p>12 MR. HALL: Well, there is another</p> <p>13 one. He said he saw it, but --</p> <p>14 MR. LEWIS: Well certainly there</p> <p>15 has got to be footage, because we know that what was</p> <p>16 released to the public is pixelated. Parts of it is</p> <p>17 are blurred out.</p> <p>18 MR. HALL: Right.</p> <p>19 MR. LEWIS: So there has got to</p> <p>20 be other footage or whether there are other angles, I</p> <p>21 thought that was maybe what you were suggesting --</p> <p>22 MR. HALL: No, but I want to --</p> <p>23 MR. LEWIS: -- I am not aware</p> <p>24 of --</p> <p>25 MR. HALL: I believe that there</p>	<p style="text-align: right;">100</p> <p>1 Q Okay. And in terms of where you made reference to</p> <p>2 where the reports are, that part of the station is</p> <p>3 closed on Sunday, is that not true?</p> <p>4 A Yes.</p> <p>5 Q There is not report that you can get. And then in</p> <p>6 terms of --</p> <p>7 A I'm sorry. I'm sorry. The report, what do you mean?</p> <p>8 Q You know, well records.</p> <p>9 A Records, yes.</p> <p>10 Q Because if you were sitting at the desk, it would be</p> <p>11 to your left, going down the left?</p> <p>12 A Yes.</p> <p>13 Q And in terms of Detectives, you didn't have any</p> <p>14 knowledge as to how many Detectives were up the</p> <p>15 stairs, did you?</p> <p>16 A Throughout the day, I believe I saw three or four.</p> <p>17 Q Okay. And you didn't know if they were still there</p> <p>18 or not, did you?</p> <p>19 A I can only guess that they were there.</p> <p>20 Q Okay. So you don't know one way or another, but --</p> <p>21 A Yes.</p> <p>22 Q In terms of when Mr. Naji came in, and this is some</p> <p>23 of the obvious, the video doesn't show him trying to</p> <p>24 go up the stairs, it doesn't show him trying to make</p> <p>25 an effort into the desk area, is that correct?</p>
<p style="text-align: right;">99</p> <p>1 is other footage --</p> <p>2 MR. LEWIS: Okay.</p> <p>3 MR. HALL: -- and I think that</p> <p>4 the Department has it, and obviously you can get it.</p> <p>5 MR. LEWIS: Just so you are</p> <p>6 aware, I am not aware of any other footage.</p> <p>7 MR. HALL: Okay. I accept that.</p> <p>8 MR. LEWIS: Fair enough.</p> <p>9 MR. HALL: Okay.</p> <p>10 BY MR. HALL, CONTINUING:</p> <p>11 Q In any event, you were talking about the entranceways</p> <p>12 into the station. There is only one entranceway from</p> <p>13 the outside into the station; is that correct?</p> <p>14 A To the --</p> <p>15 Q For the public, yes.</p> <p>16 A To the immediate area, yes.</p> <p>17 Q So when you were in the Sergeant's area, in the back,</p> <p>18 you didn't see a large number of people from the</p> <p>19 public trying to come into the station at the time</p> <p>20 Mr. Naji came in; is that correct?</p> <p>21 A At that short period of time, no.</p> <p>22 Q Right. And immediately prior to that, you don't have</p> <p>23 any recollection as to when the last civilian was in</p> <p>24 the station before Mr. Naji came, do you?</p> <p>25 A Timewise, no.</p>	<p style="text-align: right;">101</p> <p>1 A It shows him looking around the lobby area, from what</p> <p>2 I saw.</p> <p>3 Q But in terms of, he didn't run and make an effort to</p> <p>4 go into any of the closed doors?</p> <p>5 A No.</p> <p>6 Q Okay. And during the period of time, and I might</p> <p>7 have asked you that, but during the period of time</p> <p>8 that it looked like he might have been having</p> <p>9 difficulty with the weapon, you could have de-</p> <p>10 escalated by, at that point in time by telling him to</p> <p>11 drop it, couldn't you?</p> <p>12 A No.</p> <p>13 Q Well you chose not to do it. From the seconds on the</p> <p>14 video, you had enough time to say something to him,</p> <p>15 if you chose to?</p> <p>16 MR. LEWIS: Object.</p> <p>17 BY MR. HALL, CONTINUING:</p> <p>18 Q Is that correct?</p> <p>19 A I wanted to advise the Officers that were behind me,</p> <p>20 that the gentleman had a gun, hence why I yelled gun</p> <p>21 several times.</p> <p>22 Q Okay. But in terms of the area that you are, if he</p> <p>23 wanted to come down that area where this door is</p> <p>24 depicted on the video, I mean on the Exhibit One, he</p> <p>25 can't get in that door.</p>

102

1 **A If he shot his gun, he may have been able to make it**
 2 **through the door.**
 3 Q Well, you don't know whether or not a projectile
 4 could get through that door?
 5 **A I don't know.**
 6 Q Okay. In any event, he didn't walk in that
 7 direction?
 8 **A No.**
 9 Q Okay.
 10 **A He walked five feet away from me.**
 11 Q That's what you determined the distance was?
 12 **A Roughly.**
 13 Q Okay. And during that period of time, you opened the
 14 window and increased the threat to yourself?
 15 **A No. he was still a threat to the public as well.**
 16 Q But you didn't see any public?
 17 **A An Officer could have walked through, another Officer**
 18 **or a citizen could have walked through those front**
 19 **doors.**
 20 Q Could have, but you didn't have an exigent
 21 circumstance. Like the last one like before, before
 22 the other individuals came in, you saw a citizen and
 23 you removed him from potential harms way, right?
 24 MR. LEWIS: Well, I'm objecting
 25 to the form of the question and also the use of

103

1 exigent makes it a legal conclusion. But --
 2 MR. HALL: Yes, but I'm talking
 3 to a Police Officer.
 4 BY MR. HALL, CONTINUING:
 5 Q And you are familiar with exigent circumstances?
 6 **A Yes.**
 7 Q Okay. I have no other questions. Thank you
 8 Corporal.
 9 MR. LEWIS: All set.
 10 (Whereupon proceedings concluded
 11 at or about 3:29 p.m.)
 12 (Whereupon proceedings were
 13 reopened)
 14 BY MR. HALL, CONTINUING:
 15 Q Corporal, you didn't bring any records here with you
 16 today, did you?
 17 **A No.**
 18 Q Okay.
 19 (Whereupon proceedings concluded
 20 at or about 3:35 p.m.)
 21
 22
 23
 24
 25

104

1 CERTIFICATE

2
3 STATE OF MICHIGAN)

4)

5 COUNTY OF OAKLAND)
6

7 I HEREBY CERTIFY that the foregoing testimony and
 8 proceedings consisting of one hundred and four(104)
 9 typewritten pages were mechanically recorded at the
 10 time and place hereinbefore set forth; was thereafter
 11 reduced to typewritten form; and that the foregoing
 12 is a full, true and correct transcript of the
 13 recording so taken.



14
 15 SHARON DILLON CER 3192
 16 P.O. Box 214552
 17 Auburn Hills, MI 48321
 18 (248) 342-7229
 19

20 Dated: June 7, 2023
21
22
23

Coproal Timothy Clive - May 31, 2023

Page 1

A	affirm 4:8	approximation 29:11	16:15	Bazzi 1:22 50:17
A,B,C,D 26:19	afternoon 59:6	29:11	attention 58:12	51:2,5,8,17,19
able 29:4 30:2,15	agree 52:12 57:14	area 11:5 14:7	61:8	52:1 54:17,22
31:3 49:4 56:19	60:14	16:2 31:18,18	Auburn 2:11	57:7,11 63:9,23
73:19 96:10	agreement 76:12	38:6,22,25 39:1	104:17	84:25 89:1
102:1	ahead 72:9,11	40:3,18 42:9,11	audible 51:18	beat 7:14
absolutely 9:5	Airfield 16:24	43:16,21 46:22	authenticate	Beautiful 30:17
18:16 21:23	17:3	48:14,18,21	50:22,24	becoming 25:10
86:17	ALINAJI 1:6	53:25 71:21	Authorization	beginning 84:3
academic 15:23	allows 43:6 73:6	72:22 73:5,7	61:9	Beham 1:10
Academy 17:17	ambush 22:17	74:14 75:7,7	automatic 20:24	belief 47:15
17:19,23 18:3,20	23:21 24:7,15	77:13 82:24 88:9	21:1	believe 4:24 17:17
19:4,11,12 26:7	amount 66:10	92:22 93:19	automatically	20:20 24:2 25:9
27:4	angles 98:20	99:16,17 100:25	20:7 65:24	26:13,16 28:4,18
accept 18:24	answer 5:25 6:13	101:1,22,23	Ave 1:18	30:6,24 34:8
64:25 99:7	18:8 21:8,11,14	argue 5:13	award 29:6,21	35:12,24 36:17
accident 26:18	21:14 26:3 34:7	arguing 57:21	awards 28:13	46:23,25 47:2,3
90:20	68:16 90:24	arm 78:5 79:17	aware 48:25 98:8	47:14 48:7,22
accommodation	answered 21:2	84:19	98:9,23 99:6,6	52:18 65:1,2,12
28:19 31:6 59:5	94:1	armor 45:4,4		70:6 71:6 72:21
Accommodations	answering 5:20	Army 8:6,11 9:8	B	73:4,10,13 75:4
28:18	anticipate 21:7	11:8 16:24 17:3	Bachelor 16:22	76:8,9 80:16
accurate 52:13	anticipating 39:13	arrived 31:21	back 8:24 13:24	86:19 88:3 90:5
achieved 11:18	anybody 60:4	Arts 91:8	14:2 15:19 25:17	94:22 96:13
acquire 11:7	62:21 95:9	asked 9:17 32:17	39:25 42:8,11,13	98:25 100:16
acquired 16:10	anyway 86:20	37:22 40:16 48:4	43:16,20,20	believed 31:24
act 32:2 37:7 46:1	apologize 79:4	48:24 55:8 65:1	44:21 46:19	76:22,24 77:5
action 50:7	appear 79:20	70:12 86:2 97:5	51:23 53:25 54:1	Benning 17:3
actions 94:4	80:21	101:7	70:10 73:24,25	best 29:10,12
actor 37:4	APPEARANCES	asking 15:24 21:8	74:1,8 78:5 81:7	better 72:2,9
acts 32:11 50:4	1:20	25:3 29:17 37:24	81:10 82:21	big 21:9
actual 39:6	appears 52:11	41:19,20 53:3	83:22 84:19	bit 12:22
addition 86:8	67:17	77:14	85:13 88:10	Bleeding 30:8
92:10,13	application 61:18	associates 11:7	92:19,21 94:20	blurred 98:17
additional 16:12	applied 18:16	14:20 16:10 17:6	99:17	Board 20:20
22:3,11,15 23:9	apply 18:13 66:10	Association 25:1	backdoor 28:23	bodily 61:13
59:9	applying 66:6	assume 22:4	background 82:1	body 45:4,4
address 41:11	appreciate 30:20	attached 45:13	bad 63:25	bombastic 5:17
addressed 24:19	41:4	71:12 74:14	based 47:18 78:16	boot 13:15,16,19
Administrative	apprehend 29:4	attain 14:19 16:19	78:20 80:21	Box 2:10 104:16
87:1 92:8 95:15	apprehended 31:9	17:6	87:16	Branch 8:5
advise 6:4 101:19	approximately	attained 14:20	basis 9:7 28:2,3,4	break 6:11,13,15
advised 31:19	92:9	27:18	bathroom 91:1	6:21
33:17 39:18	approximating	attempting 96:7	92:22	breakdown 9:7,10
44:23 82:21	92:11	attend 10:3,10	bavaclava 45:7,9	brief 50:12 86:23

Coproal Timothy Clive - May 31, 2023

Page 2

briefly 55:12 bring 103:15 bringing 90:13 broke 30:6 broken 30:5,5,5 brought 41:10 43:16,22 building 43:8,13 67:14 91:18 92:10 bulk 15:25 bullet 78:13 85:14 94:21 bullets 69:11,14 77:15 97:12 Bureau 39:5 92:25 93:3 busy 91:3,12,13 92:2,3	cause 8:23 31:17 65:21 85:14 caused 8:19 9:8 31:18 causes 47:3 caution 44:13 Center 91:8 Central 10:11 CER 104:15 certain 54:22 66:10 certainly 5:22 67:12 98:14 certificate 26:15 26:16 27:18 104:1 CERTIFY 104:7 cetera 19:22,22,23 Chadwicks 14:6 chain 70:4 chamber 78:3,6 81:17,18 85:14 94:21 changed 20:21 chased 28:24 31:7 33:1 61:24 62:8 chasing 31:6 chatter 82:1 checked 69:22 Chief 63:12 65:2 child 30:1,3 children 7:22 90:6 90:9,12,16 chose 62:15 88:10 88:16 101:13,15 Christmas 90:6 chronology 10:9 circle 72:25 circled 43:10 circumstance 102:21 circumstances 61:12 80:11 89:4 103:5 citizen 37:9 38:5,9	43:9 44:20 50:4 102:18,22 citizens 38:11 39:1 90:13 93:1 City 1:12,17 63:10 63:11 Civil 5:8 civilian 37:15 99:23 civilians 36:19,21 class 11:19 12:14 12:19,24 26:9 classes 19:4 clear 21:12 37:20 56:1,20 57:18 67:16,25 click 94:3,10 Clive 1:16 3:5 4:12,20,21 89:23 close 30:15 38:6 closed 100:3 101:4 cock 78:23 85:3,7 85:12 colleagues 95:14 College 10:3,23 12:18,20,22 14:12,14,16 16:16 17:5 19:7 Colleges 12:3 coloration 77:19 combat 8:24 combination 52:15 come 12:10 18:14 18:14,18 20:5 27:3 32:12 38:1 40:13 43:6 44:8 44:21 46:18,19 48:4 54:18 70:24 71:3 90:23,25 91:1 95:16 99:19 101:23 comes 6:10 21:14 57:9 74:23 83:18 coming 5:16 40:7	40:10 41:1,5 42:8 43:12 70:25 71:1,2 90:7 91:18 95:13 Commander's 92:22 commands 33:16 81:24 comment 55:8 commentary 57:9 57:9,16 comments 57:4 commit 45:18,24 46:1 55:11 committed 31:25 62:12 communicate 6:7 communication 46:8 community 10:23 14:16 17:11 21:22 37:6 Complaint 41:15 41:18,22 60:16 complete 5:19 completed 9:25 19:8 94:23 completely 80:22 compound 62:2 70:22 computer 50:18 concentration 11:5 16:2 concerned 67:10 concerns 38:9 concluded 103:10 103:19 conclusion 103:1 condition 61:2 conditional 18:4 18:14,17,23 conduct 26:25 59:6,13 60:3 88:19 confer 6:14	confirm 48:13 confront 44:21 confrontations 45:17 55:10 confronted 44:7 60:20 conscious 37:3 50:2 68:5 consider 61:6 consideration 37:7 55:16 60:19 86:14 consisting 104:8 contact 73:22 contained 77:16 CONTENTS 3:1 CONTINUING 13:18 continue 95:25 96:17,19 continued 53:21 CONTINUING 6:23 7:5,20 9:6 18:10 21:17 23:2 26:5 29:14,24 30:19 32:16,22 34:10,21 37:13 37:21 42:1,18 47:7 48:16 49:22 50:14 51:10 52:6 52:21 53:12,18 53:23 54:5 55:1 58:1 59:2 62:6 63:3 64:4,14,22 65:16 68:17 72:5 72:24 75:24 76:7 78:19 79:5,12 80:20 81:22 83:10 84:6 85:10 85:19 86:25 92:7 95:2 99:10 101:17 103:4,14 continuously 67:7 control 31:4 68:22 conviction 91:7,17
---	---	---	--	---

Coproal Timothy Clive - May 31, 2023

Page 3

copy 36:3 50:15 51:9 56:15,17 Corporal 1:16 19:24 20:9,10,14 20:24 21:18,19 21:24 22:2,10 25:10 28:11 41:10 42:20 52:7 68:19 71:13 73:15 74:16 85:11 87:1 89:23 103:8,15 Corporals 28:1 correct 5:1,6 12:17 18:18 24:20 27:20 31:15 32:2,6,24 33:20 34:1,23 36:11 37:7 38:3 42:22 44:10,17 44:18 47:16 48:8 49:11,14,20 55:5 55:21,24 57:7,17 58:9,19 59:7,21 60:21 61:14,19 61:23 62:9,24 63:23 65:8 66:3 66:7 67:8,20,21 68:2,14,25 69:19 69:24 70:2,8 74:7 75:14 76:10 77:7 78:16,21 80:2 85:22 86:6 86:7 87:18 88:21 89:12 97:11 99:13,20 100:25 101:18 104:12 correctly 93:18 couldn't 10:8 75:18,19 80:25 101:11 Counsel 6:15 29:18 70:23 92:4 count 64:21 counter 22:17	23:21 24:7,14 country 11:4 County 19:7 104:5 couple 20:1 27:6 89:19,20 coupled 90:18 course 24:1,22 25:5 26:6,12 28:14 69:18 70:14 courses 15:24 22:23 Court 1:1 2:9 4:6 4:11,13,25 5:4 5:17 9:3 42:17 57:24 75:16 courtesy 5:24 Courtroom 76:1 covering 45:11 cracked 30:4 created 42:19 credits 14:24 crime 61:22 62:12 criminal 11:6 14:21,23,24 16:6 16:22 32:11 criticisms 59:13 Cross-Examina... 3:8 89:21 custody 49:16 70:4 90:14,17 cylinder 77:7,8,11 Cyril 1:21 62:25 79:3 98:7 D data 47:18 48:24 86:5 date 5:12 25:6,8 34:15,17 52:11 58:17 59:25 60:3 60:12,15 61:5 64:8 Dated 104:20	day 30:25 35:24 35:25 41:24 59:14 89:23 90:1 90:12 91:2,22,24 92:1 100:16 days 35:22 dayshift 90:1 de- 33:22 34:3 35:22 36:3 60:14 88:10 101:9 de-escalate 24:18 31:3 95:3 de-escalating 49:23 de-escalation 33:19 35:1,11 49:18 55:4,20 58:13,16 59:19 88:17 deadly 61:10,10 61:18 deal 9:19 21:9 32:5 35:22 dealing 49:19 Dearborn 1:12,17 1:19,24 18:4,11 18:23 19:13,17 19:20 20:2,18 27:25 28:14 63:11 death 61:13 68:22 December 34:18 34:20,23 64:9 89:24 90:3 decide 14:10,12 15:3 17:10 decided 68:21 deciding 11:11 decision 60:12 67:22 68:5 87:24 decisions 38:14 50:3 deeper 53:7 deescalate 80:10 Defendants 1:14	degree 11:7 14:19 14:23 16:7,10,19 16:21 17:6 demonstrated 32:5 demoted 28:11 department 1:18 18:2 19:13 22:5 23:7,12 25:2 26:24 27:1,2,25 28:15 35:10,10 35:16,17 38:6 42:4 59:20 60:4 60:8,11 87:1 88:22 91:10 99:4 departmentally 88:21 depicted 52:7 101:24 Deposition 1:16 4:22,22 5:4 42:20 58:3 describe 96:5 described 39:6 description 85:13 desk 30:25 40:5 42:6 43:2,6 46:19,19,22 47:23 48:13,18 53:25 71:17 73:14,24,24,25 74:1,3 75:7,7 88:9 92:19 93:19 100:10,25 Detective 39:5 93:3 Detectives 100:13 100:14 determination 15:20 69:23 81:10 determinations 24:17 determine 14:14 16:11	determined 55:19 68:8,23 102:11 Detroit 28:25 31:8 diagram 40:22 42:2,19,23 73:16 diary 22:21 didn't 9:13,13 10:8 11:23 12:4 12:6 18:22 19:23 25:12 27:18 32:23 44:15 45:14 48:7,22 60:18 61:6,24 62:17 67:12,24 68:1 70:17 77:15 80:4,7 81:1,2,3,4 82:4 83:16 85:21 85:21 86:5 87:14 87:15 88:9 89:11 94:12 97:2,10,12 99:18 100:13,17 101:3 102:6,16 102:20 103:15 different 17:12 22:4 59:24 77:13 difficulty 68:18 101:9 DILLON 104:15 direct 3:7 4:15 23:13,18 58:12 61:8 direction 73:17 75:14 76:9 77:21 80:2 102:7 directly 94:6 discharge 12:23 13:1 64:18 65:22 65:24 66:5,9 67:12 68:24 70:14 78:25 79:1 79:20,23,25 80:5 80:7 81:3,5,23 85:21 discharged 13:3 64:15 65:3 66:16
---	--	--	--	---

Coproal Timothy Clive - May 31, 2023

Page 4

67:16,20 69:5,6 80:22 81:6,11,13 85:25 88:16 discharging 61:18 67:6,11 Discovery 5:9,11 discussed 46:8 discussion 45:23 46:4 84:12 discussions 65:20 Dispatch 31:19 disputing 79:16 distance 102:11 distinguish 53:5 68:13 DISTRICT 1:1,2 DIVISION 1:3 divorced 7:11 document 87:6 documentation 22:22 DOE 1:13 doesn't 54:23,23 57:14 86:11 100:23,24 doing 21:2 27:6 27:14 30:10 35:14 69:4 73:16 78:3,7 82:20 don't 4:24 7:8 9:20 15:2,2 21:21 23:24 24:25 34:16 35:21 36:2 37:17 37:22 40:20,21 41:17,23 42:14 44:12 46:10,23 46:25 47:1,14,20 48:23 49:2 52:13 52:14,16 59:23 60:1,7,9 64:20 64:24 65:23,24 66:10,23,25 67:5 68:22 69:6,25 70:12,16 71:15	72:3,22 74:16 75:8,17,19 76:19 78:9,10,12,14 81:9 82:2,13 83:11 84:9,11 86:19 87:12,15 94:14 96:22 97:23 99:22 100:20 102:3,5 door 13:19 14:6 40:1,2,3,12,13 42:22,22 43:2,3 43:5,20 67:13 91:8 92:19 101:23,25 102:2 102:4 doors 90:25 92:25 92:25 93:1 101:4 102:19 drafted 8:8,8 12:10 draw 25:17 40:16 dressed 44:25 45:3 drive 24:12 36:1 56:14 91:4,6,19 91:20 drop 33:15,17 44:23 46:17 80:8 96:8 101:11 dropped 33:10 DULY 4:13 duties 21:19 duty 91:23 <hr/> E earlier 55:7 63:4 74:3 86:2 early 9:21 ears 30:8 East 11:3 39:19 43:13 73:16,17 91:11,11 EASTERN 1:2 edification 56:8	education 10:19 12:12 16:13 educational 14:25 effect 45:18 effectively 6:6 effort 75:13 78:23 80:14 100:25 101:3 Either 95:13 elevated 42:9,11 elevator 43:5 92:23 eleven 84:25 85:2 92:13 embarrass 7:8,9 empirical 47:18 48:24 employment 17:21 encounter 95:4 endurance 6:21 enforcement 15:7 15:9,13 17:14,16 17:20 38:24 45:17,23 46:5 engage 88:10,17 engaged 84:12 enlisted 8:9,11 12:9,16 enter 8:3 92:19 entered 43:24 44:5 74:18 95:9 95:10 entering 39:18 43:8 entrance 73:7 92:20,21,23 entrance/exit 92:23 entrances 92:15 93:4 95:16 entranceway 99:12 entranceways 98:6 99:11	entryway 42:3 equipped 44:8 error 65:2 82:6 escalated 101:10 escalation 33:23 34:4 35:23 36:4 60:15 88:11 escape 61:22 62:12 especially 7:10 48:23 Estate 1:6 et 19:22,22,23 evaluated 28:2 evaluations 28:1,5 event 6:3 7:21 9:21 21:18 26:6 42:2,19,21 46:15 49:8 55:2 65:6 66:13 68:23 73:18 76:8 77:5 99:11 102:6 exactly 37:22 exam 20:20,22 Examination 3:7 3:9 4:15 96:24 97:1 exchanges 90:14 90:17 Exhibit 3:19,20,21 3:22 42:16,20 50:24 51:13 56:2 56:20 57:23 58:3 58:17,22,24 59:1 63:19 71:23 93:15 101:24 EXHIBITS 3:17 exigent 102:20 103:1,5 exit 40:12 exited 28:22 expand 21:19 experience 25:18 45:22 65:18 69:9 76:22 78:21	87:16 explain 8:2 13:7 47:12 extend 32:7 extent 6:9 21:15 41:3 eyes 63:24 96:3 <hr/> F F 1:10 face 45:11 facemask 45:9 fact 38:1 45:1 52:10 65:3 67:10 facts 5:15 fair 67:6 99:8 fake 76:25 fall 97:2,3,4,5,9 fallen 67:3 97:21 familiar 13:7 41:9 45:12 47:21 58:5 103:5 families 90:7,9 fatal 68:14 Fathers 90:9 fault 29:17 feasible 61:16,20 February 52:11 55:2 59:4,18 60:3,20 61:6 74:6 feet 30:5 102:10 fell 66:18,19 70:14 95:25 97:13 fellow 46:8 Fellows 90:5 91:19 felon 31:24 32:10 felonious 32:2 felony 61:21 63:5 feminine 53:8 fifth 69:5 fifty 33:13,14 40:23 fifty/fifty 15:1
--	--	--	---	---

Coproal Timothy Clive - May 31, 2023

Page 5

figure 10:9 56:19	34:4 35:1,11,23	general 14:25 16:4	83:22 84:19	95:25 96:11
file 23:7 90:23	36:4 37:2 49:20	58:8,11,14 75:16	85:14 100:24	97:15
filed 69:24	49:25 55:5 58:8	90:19	101:4	guess 8:8 23:11
fill 87:2,8,13,17	59:20,20 61:10	generally 28:8	God 94:12	25:4 29:17 31:23
fine 30:10,16	61:11,19 87:3,7	38:24	goes 24:13 77:11	53:8 64:21 92:12
57:12,12 58:11	87:8,17,25 89:3	gentleman 28:21	92:21 93:2	100:19
finish 14:16 21:9	Ford 30:1	28:22 31:7 60:20	going 5:15,24 6:11	gun 28:21,23 29:4
finished 21:3	foregoing 104:7	93:7 101:20	6:25 9:15,18	33:17,18 36:15
fire 94:12 96:17	104:11	gentlemen 30:24	10:12 12:7 14:15	36:15,17 38:2
96:19	forgot 15:8 24:23	93:16	15:20 16:12	62:18 75:12
firearm 25:20,22	87:19	Georgia 16:24	17:10,13,19 18:3	79:13,14 81:8
26:17 27:15,15	form 26:3 32:15	getting 7:10,18	18:21 21:6 23:13	82:7,9,11,22
29:5 31:7,8,12	34:7 37:12 47:6	12:10 18:21	24:17,18 38:15	89:13 93:7,10,16
31:16 32:4,10	49:21 62:1 68:15	24:16 96:7 97:19	39:1 40:17 41:11	94:6,12,14,16
37:4 38:18 61:18	75:23 78:18 87:5	gifts 90:8,13	42:14,15 45:14	96:8,12 101:20
62:23 64:16,18	87:7,8,17 89:3	give 4:9 5:24,24	50:19,20,22,23	101:20 102:1
65:7,10,19 66:16	102:25 104:11	12:8 13:11 35:25	55:19 56:4,7,18	gunpoint 31:20
67:7,17 75:4	Fort 17:2	36:1 55:15 56:17	56:24 57:15 58:2	guy 12:9 31:9
77:6	forth 104:10	60:18 61:17	58:12 61:8 63:17	61:24 62:17 89:8
firearms 22:18	forty- 56:21	69:17,19 81:23	63:24 67:23 68:6	guys 35:22 36:9
25:14,15 26:21	forty-fives 77:9	86:14	68:9,21,22,24	38:1,18 39:7
26:22 27:4,10	forty-seven 57:6	given 5:6 59:9	75:1,9 78:13,14	44:21 46:15 49:8
44:10,11,14 65:7	forward 81:8	89:8	90:3 91:4,6	54:21 74:5
65:19	four 3:22 8:16	glare 51:11 54:12	93:23 94:4 96:13	
fired 67:2 94:22	20:7,23,23 62:1	glass 39:25 40:5	97:14 100:11	H
first 11:19 12:14	63:19 65:4	40:10 47:9,24	good 10:14 18:8	h 77:21
12:18,24 17:14	100:16	48:2,6,10,11,13	21:2,4 40:14	half 10:23 16:25
17:16 39:17 40:4	four(104) 104:8	48:19,19 49:1,5	41:13 43:19	72:17,18
58:3 66:16,21	foyer 73:7	53:25 64:15	51:12 57:2 90:5	hall 1:21 3:7,9
73:8 74:24,25	frame 57:1	67:23,24 68:4	90:13 91:19	4:16 6:23 7:2,5
75:2	front 20:20 43:6	73:5,7 80:15	gotten 40:24	7:20 9:6 13:18
five 58:12 60:25	58:4 73:13 75:1	86:3	grabbed 43:11	18:10 21:17 23:1
69:2 86:21 88:15	75:7 92:15,24	glasses 38:22,25	graduate 10:6	23:2 26:1,5
102:10	93:19 102:18	71:21	graduated 10:18	29:14,24 30:17
fix 94:16	fruitful 55:23	Glock 65:12,17,17	17:24 18:1 19:11	30:19 32:16,19
fixing 95:8	full 5:25 57:6	go 9:14,19 10:21	19:12	32:21,22 34:10
flinging 79:1	104:12	11:11 13:21 14:2	Grandparent's	34:16,20,21
floor 6:12 67:4	fully 69:9	14:12,15 17:1,10	62:23	37:13,21 41:1,5
follow 56:13 79:4	further 10:18	17:23 19:6 20:20	Grandparents	41:8,13,16,21,25
following 61:11	22:19 73:18	22:12,19 23:19	28:22 31:20	42:1,18 47:7,24
FOLLOWS 4:14		24:5 35:6 39:4	graphic 57:9	48:3,6,10,15,16
foot 13:9 29:1,2	G	40:2 50:10 51:23	great 32:5	49:22 50:10,14
footage 98:15,20	Garrison 44:3	53:9 54:1 61:3	grew 14:6	51:10,17,22 52:5
99:1,6	52:23	63:7 67:12 70:10	Grey 1:11	52:6,21 53:9,12
force 24:18 33:25	Garrity 88:7 89:8	72:9,11 75:1	ground 53:1 67:3	53:18,23 54:1,5

Coproal Timothy Clive - May 31, 2023

Page 6

54:13,25 55:1 56:3,6,9,13,16 56:23 57:1,13,20 58:1,25 59:2 62:2,5,6 63:2,3,7 63:17 64:3,4,14 64:22 65:15,16 68:17 72:1,4,5 72:12,14,16,19 72:24 75:24 76:5 76:7 78:19 79:5 79:7,11,12 80:20 81:22 83:4,8,10 83:15,25 84:4,6 84:18,23 85:1,9 85:10,19 86:21 86:25 92:4 94:25 96:25 98:12,18 98:22,25 99:3,7 99:9,10 101:17 103:2,4,14 hallway 43:3 halves 72:14 hand 4:7 handed 43:17 handgun 94:2 handing 90:8 handled 31:1 handling 90:18 happen 18:5 21:7 50:15 happened 31:12 39:12 74:22 87:14 93:25 happens 5:18 21:9 21:10,20 83:17 happenstance 39:12 Harless 88:3 harm 37:5 38:11 61:13 harms 44:20 102:23 haven't 4:24 he's 7:18 42:13	86:11 head 15:20 32:9 heading 35:19 hear 9:18 39:24 42:6 75:8 84:5 86:12 93:18 94:10 heard 5:10 20:19 39:23 40:9 55:9 82:1,5 94:3 hearing 61:3 help 44:5 45:24 46:1 75:1,9 helped 12:13,13 12:21,22 helps 71:25 hereinbefore 104:10 Hey 21:2 83:11 hide 6:16 hierarchy 20:17 High 9:25 10:6,10 11:20,23 higher 20:6 highest 11:17 Hills 2:11 104:17 hips 30:5 hired 19:15,17 hires 27:3,11,14 hit 30:1 67:13 hold 51:22 64:3 69:15 71:13 holding 28:21 31:20 32:9 62:23 holds 81:15 home 36:6 hometown 18:21 Hon 1:10 Honorable 13:1 Hospital 13:22 host 32:11 hostage 28:22 31:20 32:9 62:23 hundred 91:9,9 104:8	Hunter 16:24 17:3 hurt 31:4 HUSSEIN 1:5,22 <hr/> I I'd 29:13 37:11 47:5 61:25 68:15 75:22 78:17 I'm 4:19 5:8,9,10 5:13,14,16,23 6:25 8:7 9:9 10:22 12:20 14:11 15:14 17:5 17:13 19:16 21:5 25:2,3 29:8 30:11,18 35:2 36:25 37:16 44:13 45:4,25 48:12 50:18,19 50:22 54:22 56:1 56:19,23 57:21 59:1,18 60:9 63:16 66:1 71:24 75:1 76:12 79:3 82:8,8 84:1 85:6 85:11 98:2,7,9 100:7,7 102:24 103:2 I've 19:20 20:19 39:6 idea 51:25 95:18 ideations 45:18 identification 42:17 51:14 57:24 63:20 IDENTIFIED 3:17 identify 61:16 92:18 illness 55:17 60:19 86:15 immediate 28:6,7 99:16 immediately 99:22	imminent 61:12 impairment 61:3 important 27:22 98:8 in-house 22:11 35:5,7,8 inch 65:21 incident 34:13,22 40:24 41:10,14 55:24 58:18,21 59:3,11,17,18 61:23 64:6 87:2 87:9 93:6,14 increased 102:14 indicate 9:23 54:23 indicated 25:10 31:11 33:1 38:5 48:20 58:17 59:5 59:17 60:18 63:4 75:25 81:15 85:24 89:11 91:4 95:21 97:1,10 indicates 60:25 61:12 indicating 37:24 individual 24:25 54:19,21 61:22 62:8 68:1 76:8 77:22 individuals 27:3 36:9 39:14 40:7 42:8 44:7,9,14 45:16 47:9 55:9 55:14 102:22 information 5:9 5:11 39:20 40:9 42:21 44:9,14 62:22 initial 73:2 initials 72:7 74:16 injury 8:17,21 9:12,15 13:9 inmate 40:2 inside 71:20,21	instance 7:11 25:1 28:1 40:1 Instructing 25:22 instructions 27:16 instructor 22:18 25:14,15 26:21 26:22 65:7 Instructors 26:17 intended 7:9 68:24 75:25 intention 75:20 interdepartmen... 88:20 interested 24:14 interesting 18:6 19:20 70:21,23 Interview 88:7 interviewed 87:22 88:2,4 investigation 69:18 70:1 87:21 88:19,20,21 89:4 89:5 involved 15:7 17:20 49:18 90:16 irrelevant 54:20 57:19 isn't 37:19 47:22 48:9 issue 41:24 it's 5:14 10:7 12:1 12:3 13:12,14 14:7 19:20 21:1 28:4 29:11 30:12 34:18 41:18 46:23,25 47:2,3 47:12,14,18 50:15 51:18 52:15,18 56:25 58:8 62:2 70:21 70:23 71:20 72:1 73:13,25 76:5 87:7 92:22 97:22
--	---	--	--	--

Coproal Timothy Clive - May 31, 2023

Page 7

J	75:18,20,21 76:6 76:6,18,19,24 77:1,2,2,14 78:9 78:10,12,14 81:4 81:9 82:2,13 83:11,16 84:9,11 84:19 85:7,11 87:12 89:11,23 90:20 92:4,6 94:15 97:10,12 98:15 100:8,17 100:20 102:3,5	levels 26:14,17 Lewis 2:2 3:8 6:20 6:25 7:4,18 13:15 18:8 21:13 22:24 25:25 29:10,20 30:9,12 32:14,18,20 34:6 34:14,18 37:11 37:16 40:21 41:3 41:7,12,14,17,23 47:5,22 48:1,5,8 48:12 49:21 50:25 51:3,4,7 51:24 54:16 56:1 56:4,7,11,14,18 56:25 57:5,8,12 57:17,22 58:24 61:25 62:25 63:14,21,24 64:19 65:14 68:15 71:22,25 72:3,11,18 75:22 76:4 78:17 79:3 83:2,14 84:2 85:6,16 89:19,22 92:6,7 95:2 98:7 98:14,19,23 99:2 99:5,8 101:16 102:24 103:9	loaded 69:9 loads 78:5 lobby 38:6,20,21 38:25 39:1,6,7 39:13,25 40:13 40:18 43:20,24 44:5 46:20 71:4 71:6 74:11,12 86:9 90:8,12,14 90:15 92:15,20 92:25 93:4,16 95:9,11,16 101:1 locally 13:24 24:3 24:3 located 1:18 71:19 73:12 74:17 location 74:13 log 39:19 long 8:13,15 16:17 23:25,25 26:12 27:10 32:18 33:9 36:15,17 38:2 51:24,25 91:24 92:1 look 58:4 69:3 72:10 77:12 looked 53:24 56:9 89:17 101:8 looking 16:4 34:14 60:23 67:7 71:7 72:16 73:11 101:1 looks 52:14 60:24 64:15 71:20 lot 5:15 12:8 19:21 21:6 39:19 91:11 91:14	maintain 22:20 23:3,7 24:10 36:3 major 14:24 15:25 16:1,5,6 making 50:3 56:10 58:13 60:12 71:19 83:19 87:24 male 36:23,24,25 37:1 38:5 malfunction 94:15 95:8 man 95:18 mandatory 22:10 manipulate 94:14 manned 93:1 mannerism 97:21 manning 74:6 manual 24:10 March 58:17 59:25 mark 40:15 42:14 63:18 72:7,9,12 73:15 74:16 marked 42:16 50:23 51:14 57:24 58:2 63:20 93:15 market 77:1 marking 72:15 married 7:6,21 mask 86:19 95:21 material 24:11 36:1 materially 59:24 matrix 22:20,21 matter 4:9 5:8 87:21 mean 7:8 16:11 18:13 22:12,24 23:12 24:3 25:19 50:16 57:17,21 70:12 71:16 72:21 100:7
J.C 1:11 jack 30:3 job 18:21 jobs 17:12 JOHN 1:13 join 11:9 joined 10:24 Jonathan 1:11 Judge 57:14,16 June 104:20 Justice 11:6 14:21 14:23,25 16:6,22	knowledge 49:4 76:20 86:3 92:9 100:14 known 86:20 knows 37:16			
K	K/ 73:1 Kay 1:10 keep 9:3 27:25 36:6 66:6 kidding 7:16 kidnapping 32:11 kill 62:19 75:13,20 75:25 94:4 95:8 95:8 96:14 kind 9:18 22:21 25:23 84:12 89:2 knee 97:17,19 knew 87:17 know 4:25 6:14 7:13,17 10:8 12:3,4,9,13 15:2 15:2,25 20:21,21 23:24 25:7 26:20 27:23 30:15 32:19 35:21 37:17 40:23 41:9 42:14 44:12 45:14 46:3,10,11 49:2,5 50:25 52:13,14 59:23 60:1,7,9 64:19 64:20,24 67:5 68:1,16,22 69:6 69:25 70:16,17 71:15 72:22 75:8	L language 53:20 larceny 90:20 large 91:7 99:18 larger 12:5 law 1:17 15:7,9,12 17:14,16,20 38:24 45:17,23 46:5 76:6 Lawyer 40:1 lay 96:8 lead 96:13 leading 92:5 learned 25:20,23 leave 8:19 11:9 14:8 48:21 lectures 65:20 lecturing 35:14 left 9:21,23 29:22 100:11,11 legal 103:1 legs 30:5 let's 37:4 51:23 53:9 63:7 79:7 80:5,17 82:5 84:19 86:21 Leveea 70:6	life 10:9 lifesaving 29:6,21 Likewise 5:23 lines 75:10 90:7 93:24 list 23:8 listed 25:12 listen 83:22 literate 50:18 little 8:7 12:22 32:18 43:3 51:11 73:7,7 76:5 live 13:25 14:2 45:15 living 18:19 load 78:13,14	M Ma'am 4:10 magazine 69:13 69:14,15,22 78:1 78:1,2 94:19,19 Magistrate 1:11 main 36:17

Coproal Timothy Clive - May 31, 2023

Page 8

101:24 means 67:18 85:7 92:13 measures 90:15 mechanically 56:12 104:9 medical 61:2 medication 7:2 member 11:22 15:12 95:13,14 members 26:24 60:8,10 men 43:8 mental 9:7,9,10 9:10,17 55:16 60:19 61:2 86:15 mention 5:3 mentioned 41:15 method 33:19 methodology 78:7 MI 1:24 2:4,11 104:17 MICHAEL 2:2 Michigan 1:2,18 1:19 18:12,13,18 18:19 19:3 104:3 Miliary 15:6 Military 7:24 8:2 8:23 9:24,25 10:1,4,24 11:9 11:11,18 12:24 13:3 14:8 15:8,8 15:10,12,14 16:23 25:18,20 25:24 52:15 mind 49:19 75:18 75:19 76:3 minutes 40:23 52:1 56:21 86:22 mis 27:19 misunderstand 81:16 model 89:14 Mohawk 10:22,25 11:5,7,9 14:16	14:19 15:19 16:8 moment 45:2 95:11 months 27:13 Mothers 90:9 move 19:22 63:18 96:1 MP4 51:9 multiple 4:25 36:15 38:21 <hr/> N Naji 1:5 67:3,19 70:14,18 71:1 73:20 74:18 79:14 86:11 93:18 95:25 99:20,24 100:22 name 4:17,18,19 24:23,25 54:23 near 52:13 necessarily 9:13 9:14 necessary 6:6 need 6:21 9:14 98:11 needed 68:3 neutralized 96:20 never 28:11 62:18 75:21 93:12,13 94:1 95:23 96:8 new 10:17,17,25 17:17 18:20 27:3 27:11,14 60:11 noise 82:1 83:15 non-fatal 68:13 notation 50:23 noticed 19:20 45:13 notified 23:12 number 3:19,20 3:21,22 51:13 57:23 58:3 63:19 93:15 99:18	<hr/> O OAKLAND 104:5 OATH 4:14 object 26:2 32:14 34:6 37:11 47:5 49:21 61:25 63:1 68:15 75:22 78:17 101:16 objecting 102:24 objection 25:25 76:1 observation 31:16 71:1 79:2,19 80:13 observations 67:1 73:23 74:4 observe 74:10 observed 77:19,23 80:21 88:16 94:5 94:14,18 observed/ 77:24 observing 70:11 obstruction 67:24 obvious 100:23 obviously 12:7 54:21 55:23 81:7 90:16 92:24 94:12 98:11 99:4 occasion 10:3 66:17 97:23 occur 68:23 86:5 occurred 5:12 59:4 offensive 21:10 offer 18:4,14,17 18:23 offered 35:19 Office 92:22 Officer 1:13 15:3 15:21 19:19,21 20:3 30:23 35:13 53:24 69:19,22 74:8,10 87:14 96:22 102:17,17 103:3	Officers 31:19 33:18 39:9 43:17 46:9 59:10,15 60:11,11 61:13 61:16 90:25 92:8 101:19 Oh 4:20 6:9 10:18 25:6 58:11 77:10 okay 4:21 5:16,21 6:1,7,18 7:8,13 7:21,24 8:2,11 9:12,23 10:6,12 11:4,13,17 12:2 12:7,20,23 13:9 13:10,24 14:2,5 14:8,14,17 15:17 15:23 16:4,7,10 17:5,13,15,23 18:23 19:8,20 20:8,10,16,23 21:24 22:9 23:5 23:25 24:7,22 26:12,17 27:3,6 27:18 29:3,15,19 30:12,20 31:23 32:21 33:8,12,14 35:8,19,22 36:18 38:9,14,21 39:16 39:22 40:6,20 41:25 43:7,10,15 43:19 44:1,4,7 44:12 45:6,10,12 47:12,15 48:15 49:3,8,16,25 50:2,9 51:4,7,22 52:10 53:5,15 54:8,25 55:14,19 56:13,25 57:13 57:20,21 58:11 59:1,17 60:2,14 60:18 61:4,8 62:20,22 63:2,16 64:25 65:5,13,24 66:13,16,24 67:22,25 68:20	68:21 69:17 70:7 70:17 71:10,14 72:13,20 73:4,7 73:9,10,15 74:3 74:9,20,21,22 75:2,6 77:18 78:9 79:11,16,19 79:23 80:4,17,25 81:2,4,9,13 82:11,25 84:5,10 84:15,18,23 85:1 85:9 86:2,11,14 86:18 87:11,16 88:9 89:1,11,16 90:19 91:4,12,25 92:19 96:9 97:14 97:20 98:2,4 99:2,7,9 100:1 100:17,20 101:6 101:22 102:6,9 102:13 103:7,18 old 10:8 77:9 older 8:7 once 89:3 online 31:5 50:16 open 67:23 80:15 opened 64:15 68:4 71:18 85:24 102:13 operating 78:16 78:20 opinion 95:3 opportunity 13:21 13:23 44:15 opposed 83:18 opposite 33:6 order 58:8,11,14 66:5 outside 22:11,12 26:25 31:21 35:15 73:5 95:13 99:13 outsider 67:13 overall 24:24,24
---	--	---	--	---

Coproal Timothy Clive - May 31, 2023

Page 9

P	person 12:16 28:8 31:12 32:23 35:15 36:18 37:4 37:15 38:10,17 46:5 62:11 66:18 66:19 67:19 68:5 69:4 70:24 88:5 personal 1:5 47:15 personally 22:25 23:3 36:5 personnel 23:7 92:8 ph 45:7 70:6 PHOENIX 2:9 phones 90:24 phraseology 68:19 physical 8:21 13:4 61:2 pick 39:17 picked 50:17 pixelated 98:16 place 60:15 71:9 90:15 104:10 places 17:1 19:21 placing 78:3 Plaintiff 1:8,17,21 play 52:24 55:3 79:7 80:17 82:5 83:21,22 played 51:16,21 52:4,20 53:11,17 54:4,10,15 64:2 64:13 79:10 80:19 81:21 83:7 83:24 84:17,22 85:5 playing 53:22 83:2 please 4:7,17,19 61:9 83:5 92:18 plus 16:4 POAM 30:23 pocket 94:1 point 6:10 9:19 11:8,14 14:20	15:4 17:9 20:5 27:17,19 31:23 32:6 44:13 45:15 55:4 62:18 68:2 69:7,25 70:1 72:8,8 75:2,18 78:25 84:24 86:16 87:19 91:10 93:7,12,13 93:16 94:3,6,19 97:7 98:8 101:10 pointed 67:18 75:12,14 76:9,14 77:21 79:13,14 79:15 80:2,5,6,6 82:23 84:19 94:2 Police 4:18 15:3,7 15:14,21 17:17 17:19,23 19:13 19:18 25:2 27:25 28:14 30:23 42:4 55:10 67:11 90:3 92:16 103:3 policies 22:6 55:3 policy 35:9,11,23 36:3,4,4 37:2,10 37:14,24 49:20 49:23,25 58:5,9 58:14 59:19,20 60:15,23 61:5 89:1 portion 58:14 position 71:9,11 73:24 82:24 positive 30:22 possession 32:4 possibly 18:20 posted 54:19,20 63:11 potential 102:23 potentially 44:9 44:20 pounds 65:20 prepared 24:16 present 37:10,15	88:5 pressure 65:21 66:6,10 pretty 90:20 Princeton 1:23 prior 17:19 27:14 58:18 61:17 99:22 privacy 9:14 Private 11:19 12:14,18,24 probably 40:16 problem 21:3 40:20,22 procedures 22:7 proceedings 4:4 103:10,12,19 104:8 process 6:16 78:2 85:16,18 94:20 94:23 95:7 produce 56:15 produced 75:11 94:2 program 11:21 progressed 12:17 progression 20:2 projectile 47:10 49:4 66:14 77:12 78:13 86:4 102:3 projectiles 77:15 promoted 20:5,7,8 protect 38:12 44:6 protecting 50:3 PSI 66:11 Pu 53:1 public 50:4 63:15 90:19 91:14 95:13 98:10,16 99:15,19 102:15 102:16 pull 62:19 66:14 78:5 94:8,18 pulled 30:7 62:18 69:3 75:12 78:1	94:2 pulling 85:13 94:20 purpose 82:17 purposes 9:13 60:6 pursuing 33:9 93:6 put 43:10 49:9,13 50:22 72:6 74:16 putting 90:13
			Q	
			quarrel 52:10 question 5:18,20 5:23,25 6:4,5,12 6:13 7:13 21:8 21:14,14 22:4 32:17 37:17,17 40:24 48:3,9 55:9 58:18 60:16 76:4 102:25 questioned 89:7,7 questions 7:9 41:19 62:1 89:18 96:23 103:7 quick 38:14 79:8	
			R	
			rack 79:2 80:1,14 radio 31:17 39:22 raise 4:7 ran 33:5 43:11 rank 11:17,17 12:10 19:17 20:6 28:7 Rd 2:3 re-inserted 78:2 reached 94:1 read 45:16,19 46:4,11 75:18,19 81:10,12 ready 7:10 real 44:12 76:21 76:23 89:16,17	

Coproal Timothy Clive - May 31, 2023

Page 10

realize 92:10	100:1	70:17 76:14,15	S	seconds 52:2,18
really 10:8 15:24	reflect 7:19	respectfully 5:19	S 1:22	56:22 65:4 84:24
24:13 46:2 50:21	regarding 35:1,9	6:12	S-a-u-q-u-o-i-t	84:25 85:2 88:15
rearing 96:6,11	Region 24:4,4,6	restate 6:5 21:11	10:15	101:13
reason 5:3 32:20	Regional 19:7	restrain 32:5	safe 46:23,25 47:2	section 71:16
65:1 77:1 87:11	registration 23:8	Restraint 32:7	47:4,12,14,22	secure 5:9,11
recall 15:1 22:16	regular 14:25 22:5	result 96:15	48:7,9,21,22	16:12 43:16
28:17 29:9 35:20	related 25:23	retrieve 29:5 31:8	safety 27:15 46:19	see 20:1 31:12
36:8,16 44:2	Relative 93:6,14	retrieved 30:3,7	46:21 90:15	32:12 36:21 40:2
52:24 65:23	released 63:15	63:10	Sam 50:16 54:2	44:15 51:11
66:23 88:2	98:10,16	revolver 77:10,11	64:3 84:5,18	52:16 57:14 58:4
receive 16:7 31:17	relevance 41:18	ribs 30:6	Sauquoit 10:11,17	66:17 68:18 69:4
39:20 90:8	41:24 63:1	rifle 48:23	14:4	71:17,17 73:6,19
received 12:23	relying 44:19	rifles 30:25 43:9	saw 31:2 32:4,8	74:12,22,23 75:1
24:11 25:11	remember 23:25	right 4:7 15:15	39:15,16 44:16	75:3 77:12,15
26:16 28:13 31:6	24:24,25 28:20	21:4 29:18 39:4	45:7 46:16 58:23	78:16,20,24 79:1
34:25 42:21	36:2 46:13 53:2	47:25 48:5,19,20	70:24 71:3 73:21	79:6,13 83:11,13
50:17 59:5	55:11 57:2 59:12	48:24 53:2 56:16	74:11,24 75:2	83:14,16,16,21
recess 50:12 86:23	66:11,25 77:9	57:5 63:22 71:6	76:11,11,18	84:4,13 96:3
recognize 40:15	87:15 96:6	71:7,15,20,20	77:18 78:23	97:2,3,9,24
50:21 52:7 64:5	removed 102:23	72:17,18,21	89:12 93:18 94:8	99:18 102:16
recognized 60:23	reopened 103:13	73:13,13 74:2,19	95:18 96:8 97:4	seeing 32:23
recollection 67:2	repeat 62:3	76:24 77:15 78:7	97:5,13,14 98:13	seen 86:18 93:14
70:11,13 99:23	rephrase 6:5	79:8 81:7 91:1	100:16 101:2	97:17
Reconstructionist	68:19	92:21,24 96:6,8	102:22	semi-automatic
26:18	report 81:10,12	96:12 97:23	saying 21:5 47:1	66:3 78:4
record 4:17 7:19	90:24 98:1 100:5	98:18 99:22	52:24 53:4 57:21	semi-yearly 28:2
21:12,14 41:9	100:7	102:23	64:25 75:3,17	seminar 22:13
50:11 56:5,8,12	Reporter 4:6,11	road 21:22 30:1	82:3,16,22 89:5	24:1,20
56:20 57:18	4:13 9:3 42:17	ROTC 11:21,25	98:2	seminars 23:9
63:21 64:5 72:25	57:24	12:4	says 61:16 83:13	26:25
77:3 82:23 94:25	REPORTING 2:9	rough 42:19	scene 31:4 33:18	senior 60:11
recorded 2:7 51:5	reports 45:20 87:2	roughly 8:14	scheduled 4:21	sentence 60:25
51:8 104:9	90:19,20,20,24	10:23 33:11 42:5	school 9:25 10:6	separate 9:8 93:4
recording 104:13	91:1 100:2	42:25 43:1 91:8	10:10,11 11:21	Sergeant 19:22
records 92:25	representation	102:12	11:23,24 25:22	20:17,18 28:9
100:8,9 103:15	42:3	round 78:3,5	Schoolcraft 19:7	31:1 35:13 39:18
recuperation 13:4	Representative	rounds 69:23	26:7	40:4,6 42:6,7,13
Redirect 3:9 96:24	1:5	80:22 81:3,4,6	schools 12:5,5	43:24 44:1,3,16
Reduce 51:23	Rescue 30:14	81:11,13	Science 16:22	44:19 52:23 70:6
reduced 104:11	reset 94:19	routinely 21:9	screen 72:15,17	70:24 71:10 74:4
reference 38:1	respect 31:11	run 33:2,4,7,9	second 19:11	87:13 88:3
56:10 58:13	33:22 34:3,5	101:3	24:16 50:11 54:1	Sergeant's 53:6,7
61:10 62:7 65:3	35:10 36:8 65:6	running 28:24	60:24 63:22 64:3	82:24 99:17
70:22 71:19	65:10,17 69:8,11		71:13 83:9	serious 7:17 61:13

Coproal Timothy Clive - May 31, 2023

Page 11

Service 7:25 8:2 set 72:23 103:9 104:10 seven 56:22 88:15 seventeen 64:23 65:4 69:16 81:14 81:16 85:25 seventy 33:11,13 33:14 Shahin 63:13 sharing 30:21 Sharon 50:22 104:15 shoot 32:13,23 46:2 53:13 61:24 62:15,17,19 68:6 68:9,21 96:14 shooting 5:12 45:15 68:13,14 97:7 short 36:15 99:21 shot 66:13,21 67:25 102:1 shots 67:2 shoulder 45:14 shouted 82:7 shouting 39:21 40:4,6 show 57:16 58:2 71:8 79:8 100:23 100:24 showing 89:2 shown 5:15 shows 101:1 side 78:5 96:6,8 96:12 sign 8:15 18:1 23:19 significantly 59:23 signify 20:14 silver 77:20,21 sir 6:2,8,17 7:16 11:23 14:22 20:15 25:16	66:12 sit 39:2 sits 71:10 sitting 82:21 100:10 situation 31:1,3 36:8 43:18 61:1 62:11 six 69:2 92:17 93:3,4 size 76:25 skull 30:4 slide 78:4,5 81:6,8 94:20 slightly 21:2 small 72:25 smaller 12:5 smiling 7:19 sneaker 91:7,17 snow 11:4 solemnly 4:8 somebody 67:13 71:2 72:10 82:5 82:16 somewhat 24:13 sorry 4:19 9:9 10:22 14:11 15:14 17:5 19:16 25:2 29:8 30:11 30:18 35:2 36:25 45:4,25 53:20 59:1,18 60:9 63:16 66:1 71:24 79:3 82:8 84:1 98:7 100:7,7 sort 6:15 13:4,5 25:24 47:8,19 68:10 sounding 53:8 sounds 10:15 12:12 SOUTHEASTE... 1:3 Southfield 2:4 span 65:4	speak 30:22 37:14 60:10 speaking 52:22 53:19 82:9,17 84:7 specific 13:11 specifically 21:24 91:18 speculate 29:18 speculation 95:1 speed 41:4 spell 10:13 split 24:16 Spring 34:9 35:2 square 65:20 St 1:23 staff 95:15 stairs 39:4 100:15 100:24 stairwell 93:2 standing 73:25 start 5:20 17:9,11 17:16 19:13 27:19 50:19 84:2 started 11:15 12:16 17:14 20:2 starts 24:16 state 4:17,19 10:17 77:2 104:3 statement 42:7 76:6 83:20 89:8 statements 80:7 STATES 1:1 station 4:18 30:24 36:9,10,18,19 38:18,19 40:7 55:15 59:4 67:11 70:21,24 73:17 74:6,18 83:12,19 86:12 90:3,23 92:16 99:12,13 99:19,24 100:2 stationed 16:23 stayed 30:7 81:7 steady 91:22,24	Stenographer 21:5 stipulate 57:14 stop 22:19 45:2 51:17 52:5 68:3 79:11 83:8 84:5 84:23 85:2 stopped 96:16 stops 22:17 24:8 24:15 straight 79:14,16 79:17 84:20 streaming 51:6 strike 9:24 37:25 68:10,25 stripes 20:1,12 studies 16:4 45:16 45:19 47:8,19,20 48:25 49:2 study 19:8 46:11 46:12,14 77:2 stuff 57:2,4 75:16 subject 31:19 44:25 45:2 60:25 74:11,12,25 88:13 subsequent 5:23 58:21 80:1 suffered 9:12 13:9 30:4 suffering 86:15 suggesting 98:21 suicidal 45:18 suicide 45:19,24 46:1 55:11 Suite 1:18 Sunday 89:25 91:12 100:3 Sunday's 91:13 superior 35:13 supervising 59:15 87:14 Supervisor 28:6,7 59:14 69:20 supplement 97:25	sure 5:10 7:4 37:16 41:7 56:19 85:6 90:22 surveillance 71:3 71:5,12 74:15 sustain 8:17,23 sustained 76:2 swear 4:8 sworn 4:13 5:6 38:11 Syracuse 11:3,3 16:16 17:5 system 44:16 <hr/> T <hr/> T 73:1 table 3:1 90:14 take 6:11,13,24,25 13:22 19:3 20:19 20:22 22:6,10 24:1 26:6 30:9 30:12 37:6 42:15 49:19 78:4 83:17 86:21 87:14 90:15,24 93:10 taken 1:17 4:22 25:4 49:16 50:13 86:24 104:13 talk 24:14 talked 74:3 talking 12:20 15:14 34:11 41:15 46:3 48:1 48:11,13,17,18 49:3 55:7,12 74:8,9 82:8 85:11 86:2 97:20 98:6 99:11 103:2 talks 61:21 target 67:8 taught 24:22 teach 26:24 technically 43:12 techniques 55:20 Telegraph 2:3
--	--	--	---	---

Coproal Timothy Clive - May 31, 2023

Page 12

televised 45:15	75:11 78:7 82:8	53:17 54:4,10,15	23:20,21 24:7,10	TV's 71:10,11
tell 10:9 29:18	82:8 85:12,15,16	55:4 57:1 59:18	24:15 25:11,18	74:14
37:10 46:15	86:7 94:4 98:2,4	59:21 60:19 64:2	27:8,10,15,22	twenty-five 52:17
52:25 54:7 71:2	98:11 102:11	64:13 66:9,13,17	33:22,25 34:3,5	52:18
80:10,25	theoretically	66:21 67:16 68:1	34:22,25 35:5,5	twenty-six 63:22
telling 49:8 101:10	95:10	68:8 69:4,5,7	35:6,9,9,19,20	two 3:20 8:14
ten 92:12	therapy 13:5,11	70:8,22,23 71:16	45:22 46:7 47:2	16:18 20:12
tender 56:24	there's 43:3,5,8	74:9,17 79:10	59:9 60:6 65:6	27:13 36:9 38:1
tenure 28:14	72:14,21 73:5	80:19 81:21 83:4	65:18 66:11 69:8	38:18 44:7 50:24
terminology 5:10	74:14 81:18 98:4	83:7,24 84:17,22	78:21 87:16	51:13 52:1 54:2
45:12	thing 5:4 90:12	85:5 86:9,16	transcript 104:12	56:2,20,21 57:6
terms 9:24 15:6	things 20:21 30:22	88:18 93:1 95:7	transmission	58:24 59:1,1,1
15:23 20:23 24:7	37:3 48:14	97:7 99:19,21	31:17 32:8 39:20	61:21 72:14 91:9
31:5,15 34:3,25	think 6:9,10 27:22	101:6,7,10,14	39:23	93:15
37:2 55:14 60:2	29:21 40:19	102:13 104:10	treated 13:24	type 9:15 42:3
67:1 70:4,20	41:17,23 42:14	times 4:25 21:6	trick 5:14	65:11 70:18
71:18 77:18 80:4	50:16 57:5,8,18	38:21 64:18,23	tried 47:9 78:25	76:15,17,18
87:20 97:14 98:5	58:16 62:1,7	65:4 69:3,6	79:20 80:1	89:11
100:1,6,13,22	72:9 73:18 99:3	82:12,15 85:25	tries 85:3,7	typewritten 104:9
101:3,22	thirteen 61:9	101:21	trifle 70:12	104:11
test 6:21	thirty-five 52:2	Timewise 99:25	trigger 62:19 66:6	
tested 20:6	thought 37:9	Timothy 1:16 3:5	66:14 69:3 75:12	U
testified 4:13,25	48:18 51:18 82:5	4:12,20	94:3,8,10	ultimately 17:13
5:5 97:16	94:4 96:19 97:1	Tireman 28:21	triggers 89:3	33:10 40:17
testify 76:2,3	97:16 98:21	93:7	Troy 25:2	49:13 69:17
testimony 4:8 5:6	threat 61:12 68:3	today 4:21 5:8	true 38:7,12 49:23	Un-huh 17:8
104:7	96:10,16,19	9:13 19:23	62:13 63:5 67:14	38:23
testing 12:14	102:14,15	103:16	67:15 86:9,10	underneath 30:4
47:21	three 3:21 57:23	told 33:17 44:11	100:3 104:12	understand 6:4
thank 4:11 41:6	58:3,17,22 82:12	46:17	truth 4:9	9:16 19:23 29:11
51:12 94:12	100:16	tomorrow 56:24	try 9:18 17:13	32:17 37:23
96:22 103:7	threw 29:4 33:10	top 78:4	33:4 40:13 62:19	41:12,19,21
that's 9:15 11:25	throw 93:11	Tots 90:11 91:20	80:10 85:13	44:13 52:16
12:20 15:15 18:6	thumb 24:12	touched 89:2	87:13 96:13	56:11 65:25 66:2
21:9 24:13 27:23	35:25 56:14	Town 14:6	trying 5:8,10,14	75:17 78:10,11
28:9,18 29:17,21	Tim 26:3 29:11	toy 91:4,6	45:18 46:2 48:12	78:15 89:14
30:20 31:5 32:20	time 7:13 9:19	Toys 90:11 91:19	53:5 55:11 61:22	understanding
37:6,9 41:24	11:20 13:17 15:4	traffic 5:2,4 22:17	62:11 68:9,12	61:1
44:18 46:8,8	17:2 19:11 20:5	24:8,15 30:15	79:2 85:12,20	understood 48:17
47:15 53:2,19	21:4 22:6,6 26:9	train 27:4 67:17	94:14,16 97:16	uniform 20:1
54:17 56:4,23	28:10 30:9,13	trained 68:4	99:19 100:23,24	Union 88:4 89:8
57:20,21 58:11	31:23 32:6 33:8	training 15:7 17:3	turn 33:2	UNITED 1:1
58:18 61:5 66:3	34:4 38:17 39:9	17:20 22:3,5,6	turned 33:5	University 16:16
71:9 73:10,10,15	44:2 51:16,21	22:11,15,17,18	TV 83:11,13,14,16	unobscured 97:22
73:17,18,21 74:3	52:4,13,20 53:11	22:20,22 23:8,10	83:17,21 84:8	unreal 89:16

Coproal Timothy Clive - May 31, 2023

Page 13

updates 22:9 upstairs 39:5 upward 12:17 use 24:18 25:20 33:25 34:1,4 35:1,11,23 36:4 37:2 49:20,25 50:23 55:4 58:8 59:20 60:4,5 65:18,21 71:22 87:1,3,7,8,17,24 89:3 91:1 102:25 usually 28:4 Utica 11:3 16:16 17:5 utilize 55:20 89:3 utilized 61:11 utilizing 27:19 45:23 57:3	74:24 75:3 79:9 80:18 81:7,20 83:6,23 84:4,13 84:16,21 85:4 93:15,19 97:15 97:18,20,22 98:10 100:23 101:14,24 video-wise 98:9 Vietnam 12:7 violent 61:21 62:12 63:5 visible 21:15 visit 37:5 38:11 visitation 39:13 visual 71:1 voice 9:4 52:25 53:2,6,6,7,8 volley 97:12 vs 1:9	warnings 61:17 wasn't 77:6 watched 56:21 way 5:11 6:4 14:3 18:22 21:13 24:13 44:1,15,20 44:25 95:3 100:20 102:23 Wayne 19:7 we're 48:13 we've 40:19,23 93:14 weapon 32:8,13 33:10,15 36:10 36:11,13,17 62:9 65:22 66:3,5 67:11,18 68:24 69:5,6,8,11,17 70:5,7,15,18,25 70:25 76:9,14,15 76:21,23 77:6,16 77:21 78:24 79:20,23,25 80:4 80:14,23 81:15 81:23 82:3,3,4 85:3,8,21,25 88:16 89:12 101:9 weapons 36:15 38:2 44:23 46:17 49:9,13 76:25 wear 13:17 wearing 95:21 Wednesday 1:19 4:1 wee 39:25 week 24:2 26:13 89:23 went 10:1,4,22,22 12:18 13:19,24 15:19 17:2,17 18:19 25:22 40:12 73:21 79:17 93:19 weren't 57:3	84:12 West 43:12 73:17 73:18 what's 7:15 13:13 20:2 21:6 24:24 37:9 58:2 75:9 76:2 98:9 whatsoever 88:17 who's 73:6 wife 7:14 18:7 WILLIAMS 26:2 window 67:13 85:24 102:14 witness 2:2 3:3 4:7 4:10,17 9:5 13:16 18:9 21:16 26:4 29:13,23 30:11,14,18 34:8 37:19 54:11 62:3 63:12,16 64:20 71:24 72:13,20 85:17 woman 36:23 Women 90:12 wondering 12:2 18:5 39:22 83:19 wonders 11:10 word 95:23,24 words 52:24 work 18:22 21:22 worked 17:12 91:13 working 17:9,11 17:16 30:25 90:1 worth 57:15 wouldn't 86:19 wound 68:10 write 25:12 72:3,6 97:25 written 20:19,22 21:13 36:1 wrong 34:17 94:15,17	Y yards 33:11,13,14 91:9 year 10:23 16:25 17:24 19:1,8 21:25 25:7 29:9 30:23 yearly 28:2,4 years 8:14 16:18 20:7,23,23 27:6 yelled 43:8 101:20 York 10:17,17,25 17:17 18:20 you're 19:24 26:21 74:9 you've 4:25 5:5,10 9:23 22:20,23 23:9 27:6 28:10 28:11 33:25 38:11 46:4,4 55:9 97:23 YouTube 51:1,2,3 51:6,9 63:10
V VA 13:21 Valley 10:11,22 10:25 14:16 various 95:15 venture 23:11 92:12 venue 60:4 verbal 39:23 61:17 81:24 verbally 39:24 vernacular 67:18 version 15:9 versus 68:13 video 5:15,16 40:19 44:16 50:15 51:15,20 52:3,8,19 53:10 53:16,21 54:3,9 54:14,19 56:2,3 56:21 57:6,18 58:22,25 60:5 63:8,9,22 64:1 64:12 67:17 71:15,16 74:22	W waistband 28:24 31:13,16 93:10 walk 40:1 73:8 74:11,12 88:10 102:6 walked 28:23 36:18 38:17 39:7 39:10 53:24 75:7 102:10,17,18 Walker 13:6,12,13 walking 13:14 43:25 55:15 73:6 walks 86:9 want 6:11 9:20 10:13 30:22 34:16 41:9 56:20 66:9 67:12,24 73:2 84:18 85:2 98:22 wanted 15:3 67:25 101:19,23 wants 72:4 War 11:10,15	X	Z Zoom 4:2 0 1 1:00 1:19 1:03 4:1 14 1:18 15 58:17 59:25 16901 1:18 17 65:12,17,17 18 34:18,23 64:9 89:24 90:4 1998 10:7,10,18 10:19 2 2:01 50:13 2:30 57:9 2:35 57:10,11	

Coproal Timothy Clive - May 31, 2023

Page 14

2:42 52:16,18	4			
2:59 86:24	4 3:7			
2001 8:4,24	42 3:19			
2003 14:8,10,12	48034 2:4			
2004 16:9,11 17:7	48124 1:24			
2006 17:8,9	48321 2:11 104:17			
2008 17:18,23	5			
18:1	5 52:11 55:2 59:4			
2009 19:2,9	59:18			
2013 22:1,9,15,21	51 3:20			
22:23	510 2:3			
2015 25:3 61:23	57 3:21			
62:7,8,17 93:6	6			
2016 25:3 29:13	63 3:22			
2017 25:3 29:16	7			
30:24 36:8 38:1	7 104:20			
49:23,25 52:11	788-8888 1:25			
55:3 59:4,19	8			
60:3,21 61:6	833-6225 2:5			
74:5,6 93:14	89 3:8			
2021 25:9 26:10	9			
26:11	96 3:9			
2022 26:11 34:11				
34:19,23 35:3				
58:18 59:25 64:9				
64:10 89:24 90:4				
2023 1:19 4:1				
104:20				
205 16:12				
214552 2:10				
104:16				
23-10521 1:9				
23950 1:23				
248 2:5,12 104:18				
29201 2:3				
3				
3:29 103:11				
3:35 103:20				
31 1:19 4:1				
313 1:25				
3192 104:15				
342-7229 2:12				
104:18				

EXHIBIT B

B1 – Lobby Desk

B2 – Lobby Doors

B3 – Lobby Elevator

B4 – Lobby Waiting

B5 – Front Circle

All video footage filed (or to be filed) through the media upload pursuant to Rule 19(c), Electronic Filing Policies and Procedures.